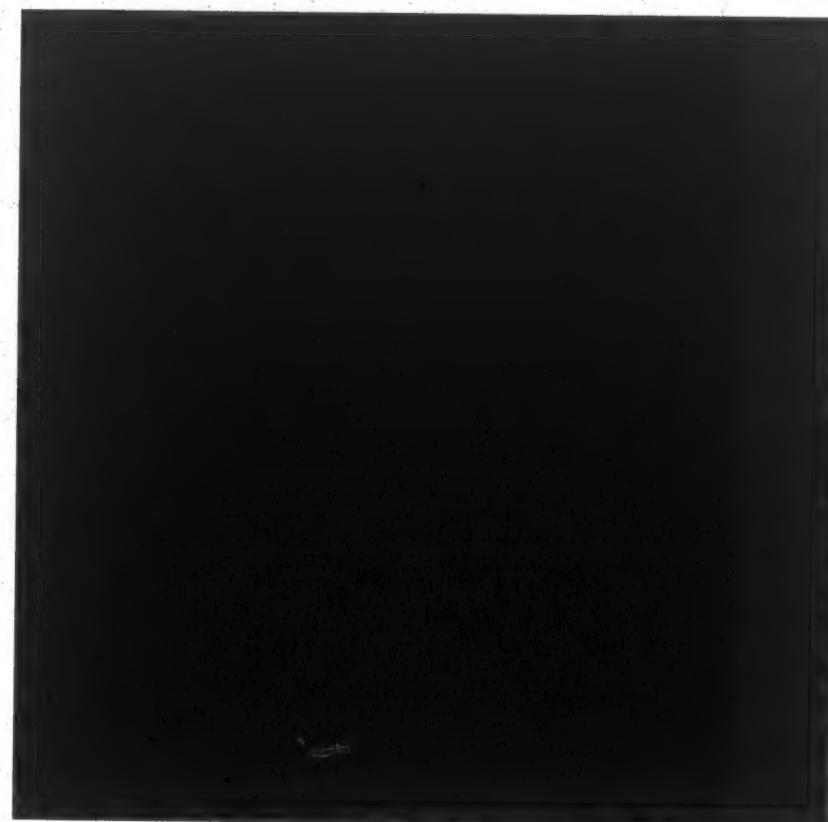
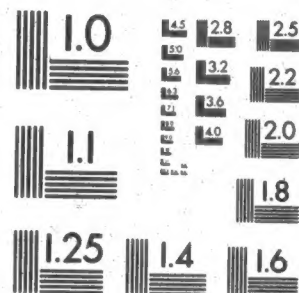
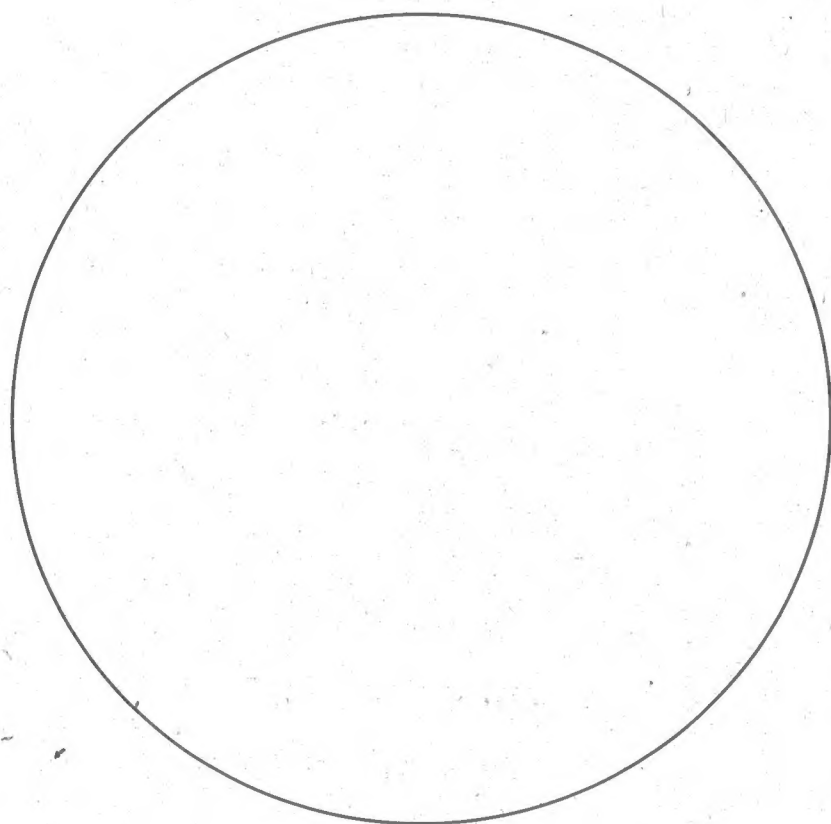
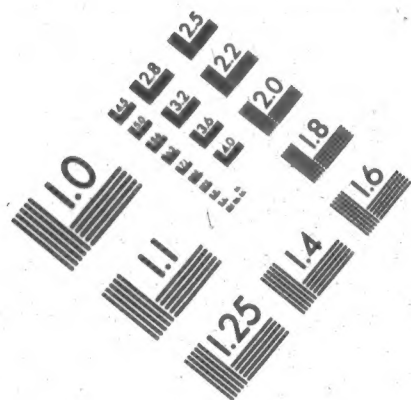
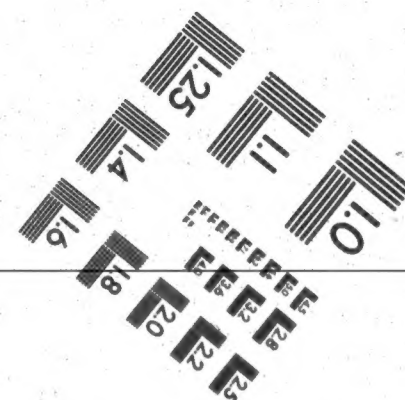
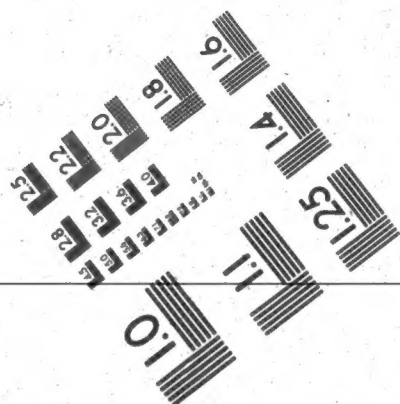
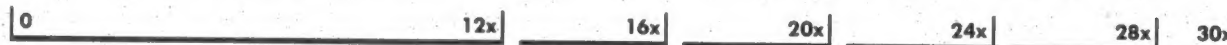


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**APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES
1898 - 1914**

ROLL 130

MISSISSIPPI CHOCTAW MCR 3865- 3965

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WASHINGTON: 1983

Choctaw MCR 3865

Montgriliar Swindle

See MCR 3867

MCR 3865

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

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In the matter of the application of Montgrilliar M. Swindle, for the identification of herself and her nine minor children, John S., Benjamin U., Dannie M., May A., Leonard C., Isaderah, Mattie M., Earl E., and Homer Swindle as Mississippi Choctaws. M. C. R. 3865.

In the matter of the application of Frances Dunn for the identification of herself and her four minor children, Bertie L., Ellie, Effie, and Joe Dunn, as Mississippi Choctaws. M.C.R.3866.

In the matter of the application of Gabriel Clements for the identification of himself and his four minor children, Lottie R., Gertrude, Roy C., and Brasie Clements, as Mississippi Choctaws. M. C. R. 3867.

In the matter of the application of Rufus Clements for identification as a Mississippi Choctaw. M. C. R.3868.

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C. C. Bowen, being called as a witness in the above entitled causes, and having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Bowen.
Q What is the full name? A C. C.
Q C. C. Bowen? A Yes sir.
Q Your full name is C. C. Bowen, is it? A Yes sir.
Q What is your age? A I am sixty-four.
Q What is your residence? A Eufaula.

(2).

- Q Post Office at Eufaula? A Yes sir.
- Q Indian territory? A Yes sir.
- Q What is your occupation? A Farming.
- Q How long have you lived at Eufaula? A I havn't been there a year but then I have made a trip away from there and back.
- Q Have you made application for identification as a Mississippi Choctaw before the Commission? A Yes sir.
- Q When did you do that? A Twenty-second of this month, October.
- Q Here at Atoka? A Yes sir.
- Q Do you now come before the Commission to testify as to what you know of these parties claiming Choctaw blood through the common ancestor, Brenard Clements? A Yes sir.
- Q Did you know Brenard Clements? A No sir, I don't know him.
- Q What do you know about Montgriliar Swindle having Choctaw blood? A All I know about the Swindles, that her grandfather or uncle lived there close to us.
- Q Her grandfather what? A Swindle.
- Q You said something about uncle? A It was her grandfather.
- Q You didn't mean uncle? A No sir, her grandfather lived there close to us.
- Q What was her grandfather's name? A George.
- Q Her grandfather was named George? A Well, I don't remember the name. This here Jake Clements and Gabriel Clements come from Alabama and lived there close to us.
- Q Gabriel Clements, who was he? A He was this boy's grandfather.
- Q You mean by these boys, Gabriel Clements and Rufus Clements do you? A Yes sir.
- Q And you mean also the grandfather of Frances Dunn and Montgriliar Swindle, don't you? A Yes sir.
- Q All right. Jake was his brother? A Yes sir, Jake was his brother. Great uncle of these boys.
- Q Now then what do you know about Gabriel Clements having Choctaw blood? A He claimed to be a half-breed.
- Q You heard him make that claim did you? A Yes sir.
- Q Did he ever speak the Choctaw language do you know? A No sir.
- Q What was his personal, physical appearance? A Well, he had the appearance of Indian, as much as me and my brother does, but he was an old man and we was little boys. He lived there during the War. They all disappeared except Jake. Now that Jake there, Jake Clements is these boys uncle, and his family is still in Mississippi there where we come from to this day.
- Q He is dead? A Jake.
- Q Jake's dead but where is Gabriel? A He's not there. They lived there during the war and they went off and I never saw any of the family except Jake afterwards.
- Q Where did you know Gabriel Clements? A In Choctaw, Mississippi.
- Q How long did you know him there? A I knew him from the time I was about eight or ten years old till I was about eighteen or nineteen years old.
- Q He did live in Mississippi then? A Yes sir.
- Q What years did he live in Mississippi? A Well, he lived there in Mississippi along about in '40, from '48 to '50, and this is to my knowing. The war come up and I went off to the War and that family all disappeared but Jake. Jake's family is there though.
- Q How was he considered among the people where he lived? A He was considered to be a half-breed Choctaw Indian, come from Alabama, Tuscaloosa.
- Q Now what do you know about his having complied with Article XIV of the Treaty of 1830? A Well sir, I don't know anything at

(2).

all about it.

- Q Don't know whether he made application to the United States Indian Agent in 1850? A No sir, I don't. I heard him and his brother Jake tell that they come there to look out public land, if they could find any public land in Choctaw County.
- Q What year was that? A That was in '48.
- Q Do you know whether he went before either the Commission of 1837 or the Commission of 1842 and claimed the right to be identified as a Mississippi Choctaw? A No sir.
- Q You don't know about that? A No sir.
- Q Is there anything more you want to state? A No sir, only just about my brother here. He testifies that the Clements was our witnesses.

Witness excused.

D. W. Bowen, being called as a witness in this case and having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A D. W. is my name.
- Q D. W.? A Bowen.
- Q B-o-w-e-n? A Yes sir.
- Q How old are you Mr. Bowen? A I am forty-five years old.
- Q Where do you live? Post office? A Eufaula.
- Q What? A Eufaula.
- Q How long have you lived there? A I have lived there about, well it will soon be nine months since I come there.
- Q What is your occupation? A Farming.
- Q Have you made application for identification as a Mississippi Choctaw before this Commission? A Yes sir.
- Q Here at Atoka? A Yes sir.
- Q About when was it you made application? A To-day was a week ago.
- Q About a week ago? A To-day a week ago, yes sir.
- Q Now what do you know about Montgrillier Swindle, Frances Dunn, Gabriel Clements and Rufus Clements-----A Don't know anything about them.
- Q Being descended from a Mississippi Choctaw ancestor who had Choctaw blood? A I don't know anything about that family at all. I know some elements.
- Q Do you know any of their ancestors? A I don't know whether I do or not. I know some elements back in the States.
- Q Do you know Gabriel Clements? A No sir.
- Q Did you know Bernard Clements? A No sir.

(4).

- Q Did you know Manning Clements? A No sir.
- Q Do you know anything about Jake Clements? A Yes sir, I remember him when I was small, him and Jack Clements I remember. That's all I remember.
- Q You remember Jake Clements and Jack Clements, these two? A Yes sir.
- Q Well, who was Jack Clements? A Well, that's all I can tell you.
- Q Don't you know whether he was abrother of Gabriel Clements? A No sir, I don't know whether he was or not.
- Q What do you know about Jake any way, being an Indian? A Well, the people told me that he was part Indian, and he favored the Indians, his color.
- Q Did he ever tell you that he was? A No sir.
- Q He was dark was he? A Yes sir. And that man Jack now, I don't know whether he was any relation to these Clements or not. That man Jack was very dark skin.
- Q Was that old man Jack Clements these boy's great uncle? A I don't know sir.
- Q Was he as dark as you? A Yes sir, old man Jack was. Now he lived and died there in Mississippi in the Choctaw Nation.
- Q You knew him in Mississippi did you? A Yes sir.
- Q Where in Mississippi? A Well sir, it was over in the Choctaw Nation close to old Greensboro. That was the County seat you know of Webster County. That's in the Choctaw Nation and that were the County seat at that time, in the Choctaw Nation, old Greensboro.
- Q But you are not positive that this Jack Clements that you are testifying about was a relative of these Clements? A No sir, I don't know anything about that.
- Q You can't connect them from any personal knowledge of your own? A No sir.
- Q You never heard him say whether he had Choctaw blood? A No sir. You mean the old man?
- Q Yes sir. A No sir, not that I recollect of.
- Q You heard other people say that he had? A Yes, and he looked like Indian, part Indian.
- Q Do you know whether he, this Jack Clements, of whom you are testifying ever complied with the provisions of article XIV of the treaty of 1830 in any way? A No sir.
- Q Did he own any land in Mississippi or Alabama? A No sir.
- Q You say you knew him in Mississippi? A I knowed him in Mississippi, yes sir.
- Q For how long a time did you know him? A Well sir, ever since I was a little fellow up to about,-----I reckon it's been fifteen or eighteen years ago that the old man died.

Witness excused.

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Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled causes on October 20, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me
this 21st day of December, 1901. *Hal Belford* Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3865.

In the matter of the application of Montgrilliar M. Swindle, for the identification of herself and her nine minor children, John S., Benjamin U., Bessie M., May A., Lenard C., Isadorah, Mattie M., Earl K., and Homer Swindle as Mississippi Choctaws.

Applicant not represented by Attorney.

Montgrilliar M. Swindle, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Montgrilliar M. Swindle.
Q What? A Montgrilliar M. Swindle.
Q How do you spell that? A M-o-n-t-g-r-i-l-l-i-a-r .
Q S-w-i-n-d-e-l-l ? A S-w-i-n-d-l-e .
Q What is your age? A Thirty-seven.
Q What is your post office address? A Atoka.
Q Atoka, Indian Territory? A Yes sir.
Q Where were you born? A In Alabama, Tuscaloosa County.
Q How long did you live in Alabama? A We come away from there nine years ago.
Q Nine years ago? A Yes sir.
Q And did you come here to Atoka? A We come to Miles County, Texas, nine years ago. We started here and got to Miles County Texas, and one of Johnny's brothers lived there and we landed there.
Q When did you get here? A Last Thursday.
Q What is your father's name? A Manning Clements.
Q C-l-e-m-e-n-t-s ? A Yes sir, Clements.
Q Is he living? A Yes sir.
Q Is your mother living? A No sir.
Q What was her name? A Angeline.
Q What? A Angeline Clements.
Q Through which parent do you claim your Choctaw blood? A My father.
Q How much do you claim? A Quarter. He is a quarter.
Q How much do you claim? A An eighth.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians, by either the Choctaw Tribal Authorities or the United States Authorities? A No sir,

(2).

- not that I know of.
- Q When and where were your father and mother married? A In Alabama, Tuscaloosa County.
- Q Do you remember the date? A No sir, I don't. Somewheres in '60 though I reckon.
- Q Were they married by a minister under a license? A I don't know sir.
- Q You havn't proof of their marriage with you? A No sir.
- Q Are you married? A Yes sir.
- Q Is your husband living? A Yes sir.
- Q When and where were you married to him? A In Tuscaloosa County Alabama.
- Q Were you married before you married him? That is previously? This your first husband? A Yes sir.
- Q What is his name? A Swindle, J. M. Swindle. That's his initials.
- Q What is his blood or nationality? White? A Yes sir.
- Q Do you claim for him? A No sir.
- Q Have you children that you want to make application for under twenty-one years of age and unmarried? A They are all under twenty-one, yes sir, I want to claim for my children. They are all under age.
- Q What is the name of the oldest? A His initials is J. S.
- Q J. S. Swindle? A Yes sir.
- Q What does that J. stand for? A John. John S. Swindle.
- Q How old is he? A He was born in February, the 1st, 1883.
- Q 1883, Then he's nineteen is he? A Yes sir, he's nineteen.
- Q Next? A Benjamin U. Swindle, May 30, 1885.
- Q Benjamin what? A Swindle.
- Q U.? A Yes sir, Benjamin U. Swindle.
- Q Born when? A May 30, 1885.
- Q Next? A Bazzle M. Swindle.
- Q What? A Bazzle, B-a-z-z-l-e .
- Q Boy or girl? A Boy.
- Q M.? A Yes sir.
- Q How old? A August 15, 1887, he's fourteen.
- Q Now the next? A May A. Swindle.
- Q May? A May A. Swindle.
- Q Girl? A Girl, yes sir.
- Q How old? A Born September 14, 1889, she's twelve.
- Q Next? A Leonard C. Swindle.
- Q Lona? A Yes sir, Leonard C. Swindle.
- Q How old? A Born April 6, 1892.
- Q He's nine years? A Yes sir, right along in there.
- Q Yes. A Isadorah Swindle.
- Q What? A I-s-a-d-o-r-a-h , born May 30, 1894.
- Q Seven years? A Yes sir.
- Q Next? A Mattie M. Swindle.
- Q Mattie M.? A Yes sir, Mattie M. Swindle. Born November 20, 1896.
- Q That's five years? A Yes sir, right along in there.
- Q Yes? A Earl Kintson Swindle.
- Q That's a boy? A Yes sir.
- Q K.? A K-i-n-t-s-o-n Swindle, born January 10, 1899.
- Q 1899, How old do you call him, two or three? A He's two years old.
- Q Next? A Homer Swindle, born April 4, 1901.
- Q How many months? A Seven months.
- Q You claim for yourself and these children? A Yes sir.
- Q Is J. M. Swindle the father of these children? A Yes sir.

(3).

- Q He never was married before he married you? A No sir.
- Q And you never were married before you married him? A No sir.
- Q When and where were you married to him? A In Tuscaloosa County in Alabama.
- Q The date? A It was in 1881. I don't see it here, but that's the date.
- Q 1881? A Yes sir.
- Q By a minister under a license? A Yes sir.
- Q Is your name or the names of these children, any of them, on any of the tribal rolls of the Choctaw Nation in the Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for enrollment as citizens, for yourself and children in the Choctaw Nation to the Dawes Commission under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted as members into citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Did you ever before this time make application for yourself and children for citizenship in the Choctaw Nation to either the Choctaw Tribal Authorities or the United States authorities? A No sir.
- Q Do you now come before the Commission for the purpose of identifying yourself and children as Mississippi Choctaws under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir, I reckon I do.
- Q How many times have you heard it read and explained by the Commission? A Well, I don't know as I have heard it.
- Q Did you hear it yesterday? A No sir, I didn't hear it. I reckon I have heard a part of it.
- Q Well now, you have heard it read and explained haven't you? If you haven't I will explain it to you? A No sir, I would like for you to explain it.
- Q The Treaty of 1830 was entered into between the Choctaw Tribe of Indians who lived in Mississippi and Alabama in the old Choctaw Nation at that time, and the Government of the United States. That treaty was made for the especial purpose of getting all of the Choctaw Indians who lived in the old Choctaw Nation east of the Mississippi River, to go to the new Choctaw Nation here, and before that treaty was signed it became known that a great many Choctaw Indians would refuse to go to the new Choctaw Nation Indian Territory, and in order to protect their interests Article XIV was put into the treaty. Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey;

(4).

in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Chestaw citizen, but if they ever remove are not to be entitled to any portion of the Chestaw annuity."

- Q Do you understand the article of that treaty? A Yes sir, I think I do.
- Q Do you know whether any of your Choctaw ancestors complied with any of the provisions of that article? Whether they did these things enumerated there in that article? A No sir, I don't know as I know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw, grandfather, grandmother, great-grandfather, great-grandmother? A Well, our great-grandfather was a fullblood Choctaw.
- Q What was his name? A Brenard Clements.
- Q Bernard is it? A B-r-e-n-a-r-d Clements. Our grandfather was half blood.
- Q Where was Brenard Clements born? A In Alabama, I reckon.
- Q Where? A In Alabama, I reckon.
- Q What year in Alabama? A I couldn't tell you that.
- Q When and where did he die? A I don't know that.
- Q He was a fullblood you say? A Yes sir, that's what I have been told.
- Q By whom have you been told that he was a fullblood? A My father.
- Q That is your grandfather, or great-grandfather? A That's our great-grandfather.
- Q Great-grandfather? A Yes sir.
- Q What was his son's name? A Gabe Clements.
- Q Gabe? A Yes sir.
- Q Did he live in Mississippi? A In Alabama.
- Q Where was he born? In Alabama? A In Tuscaloosa County, I reckon.
- Q Gabe? A yes sir.
- Q Where did he die? A In Missouri.
- Q When? A I don't know when.
- Q What was his son's name? The ancestor through whom you claim? A Manning.
- Q What? A Manning Clements
- Q Manning Clements? A Yes sir.
- Q That is your father? A Yes sir.
- Q How he is living? A yes sir, he's living.
- Q How old is he now? A Sixty-seven or eight. I think sixty-seven years old.
- Q Where was he born? A In Alabama, Tuscaloosa County.
- Q Your ancestors have all lived in Alabama then? A Yes sir.
- Q None in Mississippi? A As far as I know they lived there ever since I can remember and have known anything about it.

(5).

- Q Did they live in the old Choctaw Nation in Mississippi-----or in Alabama? A Yes sir.
- Q Do you know where that old Choctaw Nation went-----what territory it covered in Alabama. Do you know that it included Tuscaloosa County? A Yes sir.
- Q Well, any way they all lived in Tuscaloosa County, Alabama? A Yes sir.
- Q Did Brenard Clements live there in Tuscaloosa County, Alabama in 1830, or did his son Gabe? A Well, I suppose they did. I don't know.
- Q Did they have-----were they heads of families there? A Yes sir.
- Q Did any of your Choctaw ancestors own any improvements in Mississippi or Alabama in the old Choctaw Nation in 1830? A Yes sir I reckon so.
- Q Did you hear where the land was upon which they had improvements? In what particular place? A No sir, I don't know that.
- Q You wouldn't be sure about that? A No sir.
- Q Did any of your Choctaw ancestors go to the United States Indian Agent within six months after the ratification of the treaty of 1830 and tell him they wanted to stay in Alabama in the old Choctaw Nation, and take land there and become citizens of the United States? A No sir, not that I know of.
- Q Did any of your Choctaw ancestors go from Alabama or Mississippi to the Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A No sir.
- Q Did any of them ever receive or claim any land in Mississippi or Alabama under Article XIV of the Treaty of 1830? A No sir, I don't reckon they did.
- Q Did any of them receive or claim any land or any benefits whatever under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A No sir.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek the United States Indian Agent was instructed by the Government to make a list of the names of all Choctaw Indians who came before him within six months from the ratification of the treaty of 1830 and declared their intention to remain in Mississippi and take land there. This United States Indian Agent made a list which contained a very few of the total number of Choctaw Indians who did that. On account of his neglect to make a full list of all applicants who came before him under Article XIV, a great many Indians who had land in Mississippi upon which they had improvements, lost both land and improvements. They were taken by the Government and sold. This caused many complaints among the Indians so that in 1837 a Commission was appointed by Congress and this Commission went to Mississippi and heard claimants under Article XIV of that treaty. In 1842 another Commission was appointed by Congress for the same purpose, and they heard all claimants under Article XIV that came before it. Do you know whether any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842 and claimed benefits under article XIV? A No sir, I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw claimant appeared before that Commission and proved his claim under Article XIV, if it also appeared that his land had been previously taken from him, that he should be entitled to select land either in Mississippi, Alabama, Louisiana, or Arkansas to be taken from vacant Government land, and that a certificate to that effect should be issued to him. These certificates were

(6).

- in these days called scrip. Do you know whether any of your Choctaw ancestors received any such scrip from the Government of the United States as Choctaw Indians? A My great-grandfather.
- Q What do you understand by this scrip? What was it? A Well, I don't know.
- Q It wasn't money was it? A It was land, as well as I remember.
- Q Where did he choose land then under this authority, this scrip, or this certificate that he received? A Well, I don't know that.
- Q How do you know that he received any scrip from this Commission of 1842? A I have just been told that. I don't know that he did.
- Q Who told you that? A My father.
- Q He told you that your grandfather, his father-----A My great-grandfather.
- Q Brenard Clements? A Yes sir.
- Q Received scrip? A Yes sir.
- Q Well, haven't you any other proof or evidence of that fact except just what your father told you? A No sir.
- Q Never saw the certificate? A No sir.
- Q Never saw the land? A No sir.
- Q don't know where he selected land? A No sir.
- Q Do you think you will be able to introduce testimony or evidence of some sort to show that your great-grandfather, Brenard Clements received scrip from the Government under the Act of Congress of 1842? A No sir, I don't know that, I can.
- Q Well, you will be given reasonable time to try to do so.

Reasonable time will be allowed this applicant in which to furnish documentary evidence in support of this application which she makes for herself and children. Also proof of the marriage of her father and mother. Also evidence tending to prove that her great-grandfather, Brenard Clements, received scrip under the Act of Congress approved August 23, 1842.

(The name of Bernard Clements appears on page 371, Volume VII, American State Papers, as having received scrip for services performed as a private in the Virginia Continental Line, during the Revolutionary War).

- Q Do you speak or understand the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that she has dark complexion, dark brown eyes, brown hair. She has no knowledge of the Choctaw language and no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the treaty of 1830.

Hal Belford, being first duly sworn upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 21 day of December, 1901.

Commissioner

Muskogee, Indian Territory, December 11, 1901.

Gabriel Clements,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of five copies of the marriage license and certificate of Manen Clements and Mary N. Innocford of the 21st day of December, 1899 together with affidavits attached thereto as to the proper spelling of the name of Manning Clements offered by you for filing in support of the applications of the children of Manning Clements for identification as Mississippi Choctaws.

You are informed that the same have this day been filed and made a part of the record in the following cases of applicants for identification as Mississippi Choctaws:

Montgrillier Swindle, et al.
Frances Dunn, et al.
Gabriel Clements, et al.
Rufus Clements, et al.
Manning L. Clements, et al.

Yours truly,

H C R 3365
H C R 3366
H C R 3367

Commissioner in Charge.

M.C.3865

Muskogee, Indian Territory, February 12, 1902.

M. M. Swindle,

Atoka, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of the tenth instant, in which you state that you are one of the Clements heirs, and ask to be advised if they have furnished sufficient proof to entitle them to identification as Mississippi Choctaws.

In reply to your letter you are advised that there has been introduced in support of your application the oral testimony of John Swindle, C. C. Bowen and D. W. Bowen, certified copy of a certified copy of marriage license and certificate between Mahen Clements and Mary A. Longford and certified copies of the affidavits of Montgilliar Swindle, W. R. Clements, Gabriel Clements, Francis Dunn and Manning L. Clements. The Commission cannot render any opinion with reference to the sufficiency of the evidence filed in support of any application for identification as a Mississippi Choctaw until the same is taken up for final consideration and disposition.

If you desire to offer any additional evidence in support of your application, the Commission will hear the testimony of such witnesses as may present themselves at its office at Muskogee, Indian Territory, within a reasonable time. If you cannot secure the per-

N.H.S. 2

sonal attendance of your witnesses because of nonresidence or on any other ground, which, under the rules of the Commission, would constitute inability, their depositions will be considered, if taken in accordance with the rules and regulations of the Commission governing the taking of depositions in support of applications for identification as Mississippi Choctaws. A copy of said rules is inclosed herewith for your information.

Yours truly,

Commissioner in Charge.

Rules for taking
depositions.

Miss. Choc. 3605

Muskogee, Indian Territory, March 18, 1902.

M. M. Swindle,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the thirteenth instant, asking if you will be recognized as a Mississippi Choctaw, and whether sufficient proof has been filed in your case.

In reply to your letter you are advised that no decision has yet been reached nor opinion rendered relative to your rights as a Mississippi Choctaw. As soon as a decision is reached you will be advised of the action taken by the Commission. The Commission can not render any opinion as to the sufficiency of the evidence filed in support of any application for identification as a Mississippi Choctaw until the same is taken up for final consideration and determination.

Yours truly,

Commissioner in Charge.

Miss. Choctaw 3865

Muskogee, Indian Territory, May 20, 1902.

John Swindle,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 18, in which you ask if your wife, Montgrillier Swindle, is entitled to citizenship as a Mississippi Choctaw, as if so, you desire to take up land for her.

In reply to your letter you are advised that no decision has yet been reached nor opinion rendered relative to her rights as a Mississippi Choctaw. As soon as such a decision is reached she will be notified of the action of the Commission. The Commission cannot take up the evidence offered in support of applications for identification as Mississippi Choctaws, and pass upon the sufficiency of the same until the cases are taken up for consideration and determination.

Yours truly,

Commissioner in Charge.

COPY.

N O R 3865

Muskogee, Indian Territory, October 14, 1902.

Montgrilliar M. Swindle,

Atoka, Indian Territory.

Dear Madam:

You are hereby advised that on the 14th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Gabriel Clements, et al., embracing the following applications for identification as Mississippi Choctaws:

Gabriel Clements, et al.,	N O R 3867
Montgrilliar M. Swindle, et al.,	N O R 3865
Manning E. Clements, et al.,	N O R 4213
Frances Dunn, et al.,	N O R 3866 3868
Rufus Clements,	N O R 3868

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stat., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ca-

M M S-----2

Abriel Clements, Lottie Ruth Clements, Gertrude Clements, Roy Columbus Clements, Bracie Clements, Montgrilliar W. Swindle, John S. Swindle, Benjamin U. Swindle, Basile M. Swindle, May A. Swindle, Leonard O. Swindle, Isadorah Swindle, Mattie M. Swindle, Earl Kinsten Swindle, Homer Swindle, Manning L. Clements, Pea Clements, Manning L. Clements, Jess Dunn, Bert. Ellie Grant Dunn, Effie Dunn, and Rufus Clement. Choctaw Indians entitled to rights in the Choctaw lands under provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Commissioner in Charge.

Registered.

M.C.R. 3865.

COPY.

Muskogee, Indian Territory, January 28, 1903.

Montgrillat M. Swindle,

Atoka, Indian Territory.

Dear Madam:

You are hereby notified that on January 19, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gabriel Clements, et al., of which decision you were advised by registered mail on the 14th day of October, 1902.

Respectfully,

SIGNED

James Pirby
Acting Chairman.

Muskogee, Indian Territory, July 2, 1903.

Montgrilliar Swindle,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your sworn petition praying for a rehearing in the matter of your application for identification as a Mississippi Choctaw. Said petition has this day been transmitted to the Secretary of the Interior.

Respectfully,

Chairman.

Muskogee, Indian Territory, September 2, 1903.

Montgrilliar Swindle,

Atoka, Indian Territory.

Dear Madam:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of August 18, 1903, wherein he states that your petition, which was forwarded the Department on July 2, 1903, praying for a rehearing in the consolidated Mississippi Choctaw case of Gabriel Clements, et al., of which your application is a part, is not sufficient within itself to justify the reopening of the case.

The Commission is directed to advise you that motions for rehearing are granted in those cases where sufficient reason appears for so doing. Mere statements contained in a letter are not sufficient to induce such action. Applicants are required to show that they, or some one of their ancestors, were citizens of the Choctaw Nation in 1830 and heads of families, and, as such, complied or attempted to comply in person or by proxy, with the provisions of article 14 of the treaty of September 27, 1830. A mere allegation that their ancestors so complied is not sufficient; the time of their application to be registered must be

M S 2

shown, and the conversation or circumstances relating to it. In some cases this showing can be made directly by satisfactory evidence, either oral or documentary; in others the applicant can accomplish the same result by showing that an ancestor of theirs was identical in person with one of the original beneficiaries of said article 14, whose name appears as such in the records of the government. No conclusion, however, as to identity can be reached in the absence of a full history of the applicants' ancestors, showing, as nearly as possible, their legal residence and family associations, also their Choctaw as well as their English names.

Petitions for rehearings should be addressed to the Department through the Commission to the Five Civilized Tribes, and should be in the form of, or accompanied by, the affidavits of the party in interest, setting forth by what testimony he expects to establish his claim, and containing the names of the witnesses who are expected to furnish the required testimony. Petitioners must also show how, when, and where said witnesses acquired their knowledge of the matters whereof it is expected that they will testify.

A copy of the rules and regulations governing the procedure in the taking and submission of depositions in support of Mississippi Choctaw cases is herewith enclosed, and by reference thereto you will note that under rules 12 and 13 proof of service

M S 3

upon the attorneys for the Choctaw and Chickasaw Nations, Mansfield, McMurray & Cornish, South McAlester, Indian Territory, of a copy of the interrogatories must be filed with the Commission. Such service may be procured by sending the original interrogatories and copy thereof to the United States Marshal at South McAlester, Indian Territory, with instructions to make service of the copy upon said attorneys, returning the original with proof of service to this Commission.

You are further advised that you will be allowed thirty days from this date within which to submit depositions of witnesses in support of a motion for a rehearing in the consolidated Mississippi Choctaw case of Gabriel Clements, et al.

Respectfully,

Chairman.

R & R Dep.

M C R 3865

Muskogee, Indian Territory, February 8, 1903.

J. M. Swindle,

R. F. D. #3,

Bentonville, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th ultimo, in which you ask if your family can hold land in the Choctaw-Chickasaw country as Mississippi Choctaws, and if not, whether the land can be bought at its appraised value.

In reply you are informed that the Secretary of the Interior on January 19, 1903, approved the Commission's decision of October 14, 1902, refusing the application made by your wife, Montgrillan Swindle, for the identification of herself and minor children as Mississippi Choctaws, of which departmental action she was duly notified on January 28, 1903.

This case is considered closed and it is not believed that any of the applicants therein are in any manner entitled to possessory rights of the tribal property of the Choctaws and Chickasaws.

As to the purchasing of land in Indian Territory it is probable that the United States Indian Agent, Union Agency, Muskogee, Indian Territory, can give you the information desired.

Respectfully,

Chairman.

Date

OCT 29 1901

Name Montgrihar Swindle.

Age 37-

Blood $\frac{1}{8}$ ~~1/8~~

Post Office, Alaska, D. T.

Father: Manning Clements, l.

Mother: Angeline " d

Claims through father
husband

J. M. Swindle, w.

No claim for husband

Children: John S. Swindle, 19

Benjamin U. " 16

Bazze M. " 14

May A. " 12

Leonard C. " 9

Isadorah " 7

Kattie M. " 5

Eare K. (boy) " 2

Horner " 7m.

Claims for self &
children.

Stenographer

Noel Breford

Choctaw MCR 3866

Frances Dunn

See MCR 3867

MCR 3866

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

-----;

In the matter of the application of Montgrilliar M. Swindle, for the identification of herself and her nine minor children, John S., Benjamin U., Bessie M., May A., Leonard G., Isaderah, Mattie M., Earl K., and Homer Swindle as Mississippi Cheetaws. M. C. R. 3865.

In the matter of the application of Frances Dunn for the identification of herself and her four minor children, Bertie L., Ellie, Effie, and Joe Dunn, as Mississippi Cheetaws. M.C.R.3866.

In the matter of the application of Gabriel Clements for the identification of himself and his four minor children, Lottie R., Gertrude, Roy G., and Bracie Clements, as Mississippi Cheetaws. M. C. R. 3867.

In the matter of the application of Rufus Clements for identification as a Mississippi Cheetaw. M. C. R.3868.

-----;

G. C. Bowen, being called as a witness in the above entitled causes, and having been first duly sworn, testifies as follows:

Examination by the Commission.

Q What is your name? A Bowen.
Q What is the full name? A C. G.
Q C. G. Bowen? A Yes sir.
Q Your full name is C. G. Bowen, is it? A Yes sir.
Q What is your age? A I am sixty-four.
Q What is your residence? A Mufaula.

(2).

- Q Post Office at Eufaula? A Yes sir.
- Q Indian territory? A Yes sir.
- Q What is your occupation? A Farming.
- Q How long have you lived at Eufaula? A I havn't been there a year but then I have made a trip away from there and back.
- Q Have you made application for identification as a Mississippi Choctaw before the Commission? A Yes sir.
- Q When did you do that? A Twenty-second of this month, October.
- Q Here at Ateka? A Yes sir.
- Q Do you now come before the Commission to testify as to what you know of these parties claiming Choctaw blood through the common ancestor, Brenard Clements? A Yes sir.
- Q Did you know Brenard Clements? A No sir, I don't know him.
- Q What do you know about Montgrilliar Swindle having Choctaw blood? A All I know about the Swindles, that her grandfather or uncle lived there close to us.
- Q Her grandfather what? A Swindle.
- Q You said something about uncle? A It was her grandfather.
- Q You didn't mean uncle? A No sir, her grandfather lived there close to us.
- Q What was her grandfather's name? A George.
- Q Her grandfather was named George? A Well, I don't remember the name. This here Jake Clements and Gabriel Clements come from Alabama and lived there close to us.
- Q Gabriel Clements, who was he? A He was this boy's grandfather.
- Q You mean by these boys, Gabriel Clements and Rufus Clements do you? A Yes sir.
- Q And you mean also the grandfather of Frances Dunn and Montgrilliar Swindle, don't you? A Yes sir.
- Q All right. Jake was his brother? A Yes sir, Jake was his brother. Great uncle of these boys.
- Q Now then what do you know about Gabriel Clements having Choctaw blood? A He claimed to be a half-breed.
- Q You heard him make that claim did you? A Yes sir.
- Q Did he ever speak the Choctaw language do you know? A No sir.
- Q What was his personal, physical appearance? A Well, he had the appearance of Indian, as much as me and my brother does, but he was an old man and we was little boys. He lived there during the War. They all disappeared except Jake. Now that Jake there, Jake Clements is these boys uncle, and his family is still in Mississippi there where we come from to this day.
- Q He is dead? A Jake.
- Q Jake's dead but where is Gabriel? A He's not there. They lived there during the war and they went off and I never saw any of the family except Jake afterwards.
- Q Where did you know Gabriel Clements? A In Choctaw, Mississippi.
- Q How long did you know him there? A I knew him from the time I was about eight or ten years old till I was about eighteen or nineteen years old.
- Q He did live in Mississippi then? A Yes sir.
- Q What years did he live in Mississippi? A Well, he lived there in Mississippi along about in '40, from '48 to '50, and this is to my knowing. The war come up and I went off to the War and that family all disappeared but Jake. Jake's family is there though.
- Q How was he considered among the people where he lived? A He was considered to be a half-breed Choctaw Indian, come from Alabama, Tuscaloosa.
- Q Now what do you know about his having complied with Article XIV of the Treaty of 1830? A Well sir, I don't know anything at

(3).

all about it.

- Q Don't know whether he made application to the United States Indian Agent in 1830? A No sir, I don't. I heard him and his brother Jake tell that they came there to look out public land, if they could find any public land in Choctaw County.
- Q What year was that? A That was in '48.
- Q Do you know whether he went before either the Commission of 1837 or the Commission of 1842 and claimed the right to be identified as a Mississippi Choctaw? A No sir.
- Q You don't know about that? A No sir.
- Q Is there anything more you want to state? A No sir, only just about my brother here. He testifies that the Clements was our witnesses.

Witness excused.

D. W. Bowen, being called as a witness in this case and having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A D. W. is my name.
- Q D. W.? A Bowen.
- Q B-o-w-e-n? A Yes sir.
- Q How old are you Mr. Bowen? A I am forty-five years old.
- Q Where do you live? Post office? A Eufaula.
- Q What? A Eufaula.
- Q How long have you lived there? A I have lived there about, well it will soon be nine months since I came there.
- Q What is your occupation? A Farming.
- Q Have you made application for identification as a Mississippi Choctaw before this Commission? A Yes sir.
- Q Here at Atoka? A Yes sir.
- Q About when was it you made application? A To-day was a week ago.
- Q About a week ago? A To-day a week ago, yes sir.
- Q Now what do you know about Montgrilliar Swindle, Frances Dunn, Gabriel Clements and Rufus Clements-----A Don't know anything about them.
- Q Being descended from a Mississippi Choctaw ancestor who had Choctaw blood? A I don't know anything about that family at all. I knew some Clements.
- Q Do you know any of their ancestors? A I don't know whether I do or not. I knew some Clements back in the States.
- Q Do you know Gabriel Clements? A No sir.
- Q Did you know Brenard Clements? A No sir.

(4).

- Q Did you know Manning Clements? A No sir.
- Q Do you know anything about Jake Clements? A Yes sir, I remember him when I was small, him and Jack Clements I remember. That's all I remember.
- Q You remember Jake Clements and Jack Clements, those two? A Yes sir.
- Q Well, who was Jack Clements? A Well, that's all I can tell you.
- Q Don't you know whether he was a brother of Gabriel Clements? A No sir, I don't know whether he was or not.
- Q What do you know about Jake any way, being an Indian? A Well, the people told me that he was part Indian, and he favored the Indians, his color.
- Q Did he ever tell you that he was? A No sir.
- Q He was dark was he? A Yes sir. And that man Jack now, I don't know whether he was any relation to these Clements or not. That man Jack was very dark skin.
- Q Was that old man Jack Clements these boy's great uncle? A I don't know sir.
- Q Was he as dark as you? A Yes sir, old man Jack was. Now he lived and died there in Mississippi in the Choctaw Nation.
- Q You knew him in Mississippi did you? A Yes sir.
- Q Where in Mississippi? A Well sir, it was over in the Choctaw Nation close to old Greensboro. That was the County seat you know of Webster County. That's in the Choctaw Nation and that were the County seat at that time, in the Choctaw Nation, old Greensboro.
- Q But you are not positive that this Jack Clements that you are testifying about was a relative of these Clements? A No sir, I don't know anything about that.
- Q You can't connect them from any personal knowledge of your own? A No sir.
- Q You never heard him say whether he had Choctaw blood? A No sir. You mean the old man?
- Q Yes sir. A No sir, not that I recollect of.
- Q You heard other people say that he had? A Yes, and he looked like Indian, part Indian.
- Q Do you know whether he, this Jack Clements, of whom you are testifying ever complied with the provisions of article XIV of the treaty of 1830 in any way? A No sir.
- Q Did he own any land in Mississippi or Alabama? A No sir.
- Q You say you knew him in Mississippi? A I knowed him in Mississippi, yes sir.
- Q For how long a time did you know him? A Well sir, ever since I was a little fellow up to about,-----I reckon it's been fifteen or eighteen years ago that the old man died.

Witness excused.

-----:-----

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled causes on October 30, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me
this 21st day of December, 1901. *Hal Belford* Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

-----:-----

In the matter of the application of Montgrilliar M. Swindle for the identification of herself and her nine minor children, John S., Benjamin H., Bessie M., May A., Leonard G., Isaderah, Mattie M., Earl K., and Homer Swindle, as Mississippi Cheetaws. M.C. R. 3865.

In the matter of the application of Frances Dunn for the identification of herself and her four minor children, Bertie L., Ellie, Effie and Joe Dunn, as Mississippi Cheetaws. M.C.R.3866.

In the matter of the application of Gabriel Clements for the identification of himself and his four minor children, Lottie R., Gertrude, Roy C., and Brazie Clements, as Mississippi Cheetaws. M. C. R. 3867

In the matter of the application of Rufus Clements for identification as a Mississippi Cheetaw. M. C. R. 3868.

-----:-----

John Swindle, being called as a witness in the above entitled causes and being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Swindle is my name.
Q What's that? A S-w-i-n-d-l-e .
Q What is the full name? A John. John Swindle.
Q Your name is John Swindle. Where do you live? A Live here.
Q Live in Atoka? A Yes sir.
Q Well, do you know these parties, Montgrilliar Swindle, Frances Dunn Gabriel Swindle and Rufus Swindle? A I do.

(2).

- Q You are how old? A Forty-three years old.
- Q What is your occupation? A Farming.
- Q When did you know them and where? A I have knowed them all my life.
- Q Well did you know them in-----A In Alabama.
- Q Alabama? A Yes sir, we was all borned and raised there.
- Q Where in Alabama? A Tuscaloosa County.
- Q Did you know them there? A Yes sir.
- Q When did you leave Alabama? A About eight or nine years ago.
- Q Did they leave with you at the time? A Yes sir.
- Q Where did you go to? A Went to Lamar County.
- Q Are you related to these parties? A One of them is my wife sir.
- Q Therefore you are married into the family by marrying-----? A Montgrilliar.
- Q What do you know about their having Choctaw blood? A I don't know anything only what I have been told by Mr.Clements their father.
- Q Is he living now? A Yes sir.
- Q Where is he? A He's in Alabama, Tuscaloosa County.
- Q What did he tell you? A He told me that they was part Choctaw. I don't know just exactly whether he claims any certain part or not.
- Q He didn't say how much? A No sir.
- Q You know nothing of your own personal knowledge? A No sir, only what I have heard.
- Q Did you ever hear that from anybody else? A Yes sir, all the old people there knowed they was part Indian.
- Q The old people who lived in Tuscaloosa County? A Yes sir. Their grandfather went by the name of "Old Indian Tom."
- Q Indian Tom? A Yes sir.
- Q Did you know him? A Yes sir.
- Q Do you know that he went by that name? A Yes sir.
- Q Did you hear him called that name? A Yes sir.
- Q Is there anything more that you know about their having Indian blood? A Nothing more than Mr.Clements said-----the old man Manning Clements-----that his grandfather fought in the semi-nole war with General Jackson and drew a land warrant there.
- Q As a soldier in that war? A Yes sir, but he didn't know whether he ever laid that warrant or not.
- Q And you don't know? A No sir, I know nothing about it. I am not old enough to.
- Q You don't know whether any of these people complied with the Treaty of 1830do you, or Article XIV of that treaty? A No sir.
- Q Or whether they ever received any benefits as Choctaw Indians from the Government? A Well, Mr.Clements says that he never did. I don't know it.
- Q You know nothing more about this matter then? A No sir.

Witness excused.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled causes on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic Notes in said cause on the said day of October, 1901. *Hal Belford*
Subscribed and sworn to before me this 4 day of January, 1902.

CC

Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3886.

In the matter of the application of Frances Dunn for the identification of herself and her four minor children, Bertie L., Ellie, Effie, and Joe Dunn, as Mississippi Choctaws.

Applicant not represented by Attorney.

Frances Dunn, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Dunn, D-u-n-n. Frances Dunn.
Q Frances? A Yes sir.
Q What is your age? A Thirty last March. The 7th day of last March I was thirty.
Q What is your post office address? Atoka? A Yes sir.
Q Where were you born? A Alabama.
Q Where in Alabama? A Tuscaloosa County.
Q How long have you lived in Alabama? A I have been away from there eight year the 6th day of December.
Q When you went from Alabama where did you go? A I went to Texas Miles County.
Q Have you lived there since? A I lived in Miles County two years and in Hamilton six years.
Q Then you came here? A Yes sir.
Q How long have you been in Atoka? A Come here last Thursday, I believe it was.
Q Is this to be your home? A Yes sir.
Q What is your father's name? A Manning Clements.
Q Is he living? A Yes sir.
Q Your mother's name is what? A Angeline.
Q Is she living? A No sir.
Q Through which parent do you claim Choctaw blood? A Father.
Q How much do you claim? A Eighth part.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians, by either the Choctaw Tribal Authorities or the United States Authorities in the Territory? A Not that I know of.
Q When and where were your father and mother married? A In Alabama Tuscaloosa County.
Q Do you remember the date? A No sir.

(2).

- Q By a minister under a license? A I don't know.
- Q Have you proof of their marriage with you? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Grant Dunn. G. G. is his initials.
- Q Grant G.? A Yes sir.
- Q Is he an Indian? A No sir.
- Q He is a white man? A He is a white man.
- Q Do you make claim for him? A No sir.
- Q Have you children you want to make application for? A Yes sir.
- Q How many? A Four.
- Q What is the name of the oldest? A Bertie Lee Dunn.
- Q B-e-r-t-i-e? A Yes sir.
- Q Is that a boy or girl? A Girl.
- Q How old? A She was eleven years old the 22 day of last May.
- Q What is the name of the next? A Ellie. Ellie Grant Dunn.
- Q E-l-l-i-e? A Yes sir.
- Q He is a boy? A Yes sir.
- Q How old? A He was six the twelfth day of last April.
- Q What is your next child? A Effie.
- Q E-f-f-i-e? A yes sir, girl.
- Q How old? A She was four the 25th day of last September.
- Q That's all isn't it? A No sir, Joe Dunn.
- Q J-o-e? A Yes sir.
- Q Boy? A Yes sir. He was a year old the second day of last March.
- Q You claim for yourself and children? A yes sir.
- Q When and where were you married to your husband, Grant G. Dunn?
- Q A In Alabama? Tuscaloosa County.
- Q What date? A 15th day of January.
- Q Year? A Let's see-----1888.
- Q By a minister under a license? By a minister or justice? A Justice.
- Q Was he ever married before he married you? A No sir.
- Q Were you ever married before he married you? A No sir.
- Q He is the father of all these children is he? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A Not that I know of.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and these children to the Choctaw tribal authorities? A No sir.
- Q Are their names on any of the tribal rolls of the Choctaw Nation? A No sir, not that I know of.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time sought to become a citizen or to get your children enrolled as citizens of the Choctaw Nation by either the Choctaw Tribal Authorities or the United States authorities? A No sir.
- Q Do you now come before this Commission for the purpose of identifying yourself and these children as Mississippi Choctaws? A Yes sir.
- Q Under Article XIV of the Treaty of 1830? A Yes sir.

- Q Do you understand that article of that treaty? A Well, no I don't know as I understand it real well.
- Q The Treaty of 1830 was made between the United States Government and the Choctaw Tribe of Indians at a place called Dancing Rabbit Creek in Mississippi on the 27th day of September of that year, for the purpose of getting all the Indians who lived in the old Choctaw Nation in Mississippi and Alabama to leave that Nation and go across the Mississippi River west to the new Choctaw Nation Indian Territory. Before this treaty was signed it became known that a great many Indians wouldn't go to the new Choctaw Nation Indian Territory with the other Indians, and in order to protect their interests Article XIV was put into the treaty. An article in a treaty is a part of it a subdivision of it. Article XIV reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw Annuity"

- Q How do you understand that article of that treaty? A Yes sir, I think I do now.
- Q And do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of this article of this treaty? A I don't know that I do.
- Q You will understand that under this article where persons are claiming now the right to be identified as Mississippi Choctaws as the descendants of Mississippi Choctaws, they are entitled only to an interest in the lands of this new Choctaw Nation, Indian Territory, but have no interest in any annuity or money distribution contemplated in that article of that treaty. If people who are claiming now are to receive any interest in money it will be in such moneys as are invested for the benefit of the present Choctaw Indians from the rents of lands etc, and not an interest in the old annuity money which was distributed annually for a number of years to the original Choctaw Indians who originally removed under this whole treaty. What is the name of your Choctaw ancestor who lived in Mississippi in 1830, if you know? A Bernard Clements.

(4).

- Q Are you related to Montgrilliar Swindel? A Yes sir, sister.
- Q She has made application for identification to-day, October 29, has she? A Yes sir.
- Q Do you want her testimony to be considered with yours that you may get the benefit of what she has testified to? A Yes sir.
- Q Any other relatives of yours ever applied here for identification? A No sir, not that I know of.
- Q Did he live in Mississippi or Alabama, Brenard Clements, your great-grandfather? A I don't know. I reckon in Alabama.
- Q Where in Alabama? A I reckon in Tuscaloosa County.
- Q What makes you think so? A I have been taught that by my parents.
- Q Who taught you that? A My father.
- Q Manning Clements? A Yes sir.
- Q How much Choctaw blood did your great-grandfather have? A Great grandfather? He was a full blood.
- Q Fullblood? A Yes sir.
- Q How do you know he was a fullblood? A Why, I have been taught that, I don't know it.
- Q By members of your family? A Yes sir, by my father.
- Q Always taught that? A Yes sir.
- Q You claim through your father, Manning Clements? A Yes sir.
- Q You claim how much Choctaw blood? A Quarter, I reckon. His father was half, his grandfather was a fullblood and I reckon that would throw me about an eighth wouldn't it.
- Q And you claim how much? A Eighth part. I think that's the way it goes.
- Q Well, now did he speak the Choctaw language? A No sir.
- Q Do you know he didn't? A Never did since I can remember.
- Q I mean your greatgrandfather? A Yes sir, I reckon he did. I couldn't tell you.
- Q Did he have an Indian name? A I don't know whether he did or not.
- Q Where did he die? A I don't know.
- Q Do you know where he was born? A No sir.
- Q What was his son's name? A Gabriel.
- Q Gabe or Gabriel? A Gabriel. That's the way they always called the name to us.
- Q How much Choctaw blood did Gabriel have? A He was a half part.
- Q Did he live in Alabama or Mississippi? A Lived in Alabama.
- Q You are sure about that? A Yes sir.
- Q In what part of Alabama? A Tuscaloosa County.
- Q Now is Tuscaloosa or was Tuscaloosa County in the old Choctaw Nation in Alabama do you know? A Yes sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know sir whether they did or not.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian Agent Colonel Ward and tell him that they wanted to stay in the old Choctaw Nation in Mississippi or Alabama and take land there and become citizens of the United States? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation in the Indian Territory with the other Indians between 1833 and 1840? A Not that I know of.
- Q Did any of your Choctaw ancestors to your knowledge claim or receive any land in Mississippi or Alabama from the Government, in the old Choctaw Nation, as beneficiaries under article XIV of the treaty of 1830? A I don't know for certain but I think they did.

(5).

- Q Well now what makes you think they did? A Well, it seems like as well as I can remember that I have heard it talked.
- Q By whom has it been talked? A Well, by my father.
- Q Did he say where they received land? A No sir.
- Q When they received land? A No sir.
- Q Whether they got it from the Government or whether they bought it from somebody? A No sir, I couldn't tell that.
- Q Never saw any proof of it, or deed or anything of that kind? A No sir.
- Q Did any of your Choctaw ancestors receive any land or claim any under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A No sir.
- Q The United States Indian Agent who lived in Mississippi in 1830 was instructed by the Government, after that treaty of 1830 became ratified, to make a list of the names of all Choctaw Indian claimants who came to him within six months from the ratification of the Treaty, and declared their intention to stay in Mississippi or Alabama in the old Choctaw Nation and become citizens of the United States. This Indian Agent made a list called Ward's Register, but it contains the names of less than one hundred Indians, heads of families. It became known afterwards that many hundreds of Indians who were heads of families went to him and made those declarations under Article XIV, but he failed to put their names on any list, in other words he was very negligent of his duty. This negligence on his part caused a great many Indians who held land in Mississippi upon which they had improvements to be taken away from them by the Government and sold at the public land sales of the Government. This caused a great many complaints among the Indians so that in 1837 by an Act of Congress which was approved March 3rd of that year Congress appointed a Commission; this Commission went to the State of Mississippi and heard all claimants under Article XIV that came before it during those sessions there and made lists of the names of successful claimants claims that were approved by them, and afterwards ratified by either the President or the Secretary of War, and Congress in 1842 appointed another Commission under an Act approved August 23, of that year, and this second Commission went to the state of Mississippi and heard claimants under Article XIV of that Treaty and made lists of the names of successful claimants. Do you know whether any of your Choctaw ancestors went before either of those two Commissions and claimed benefits under Article XIV of the Treaty of 1830? A No sir, I do not.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim before that Commission, if it also appeared at that time that his land had been taken from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that certificates, or scrip as they were called should be issued to him to that effect. Did any of your Choctaw ancestors receive any scrip from the United States Government as Choctaw Indians under that Act of Congress of 1842? A No sir, not that I know of.
- Q Have you any documentary evidence that you want to present now in support of this claim? A No sir, not that I know of.

Reasonable time will be allowed this applicant in which to

(6).

present documentary evidence or other proof in support of the application which she makes for herself and children.

Q Do you speak or understand Choctaw? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that her features are dark, she has dark brown eyes, dark hair. She had no knowledge of the Choctaw language and no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 21st day of December, 1901.

Hal Belford


Commissioner.

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Consolidated into one - 10/1/10

1990

COPY.

M O R 3866

Muskogee, Indian Territory, October 14, 1902.

Francoes Dunn,

Atoka, Indian Territory.

Dear Madam:

You are hereby advised that on the 14th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Gabriel Clements, et al., embracing the following applications for identification as Mississippi Choctaws:

Gabriel Clements, et al.,	M O R 3867
Montgrilliar M. Swindle, et al.,	M O R 3868
Manning L. Clements, et al.,	M O R 4213
Francoes Dunn, et al.,	M O R 3866
Rufus Clements,	M O R 3866

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ga-

F D—2

brief Clements, Lottie Ruth Clements, Gertrude Clements, Roy Columbus Clements, Erarie Clements, Montgrilliar M. Swindle, John S. Swindle, Benjamin V. Swindle, Basile M. Swindle, May A. Swindle, Leonard C. Swindle, Isadorah Swindle, Mattie M. Swindle, Earl Kingston Swindle, Homer Swindle, Manning L. Clements, Pearl M. Clements, Manning L. Clements, Jr., Frances Dunn, Bertie Lee Dunn, Ellie Grant Dunn, Effie Dunn, Joe Dunn and Rufus Clements, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Commissioner in Charge.

Registered.

M.C.R. 1903.

COPY.

Muskogee, Indian Territory, January 26, 1903.

Frances Dunn,

Atoka, Indian Territory.

Dear Madam:

You are hereby notified that on January 19, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gabriel Clements, et al., of which decision you were advised by registered mail on the 14th day of October, 1902.

Respectfully,

Tamc Dixby.

Acting Chairman.

No. 35005

For Identification as a Mississippi Choctaw.

OCT 29 1901

Name ^{Date} Francis Klunn

Age 30 Blood $\frac{1}{8}$

Post Office, Atoka, I. T.

Father: Manning Clements, L

Mother: Angeline " d

Claims through ^{factor} —
husband
Wm. G. Klunn, w.

No claim for husband

Children:

Bertie L. (girl) Klunn 11

Ellie G. (boy) " 6

Effie (girl) " 4

Joe (boy) " 1

Claim for self &
children

Choctaw MCR 3867

Gabriel Clements

See MCR 3865, 4213, 3866
3868.

MCR 3867

**DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.**

In the matter of the application of Gabriel Clements, et al., for identification as Mississippi Choctaws, consolidating the applications of -

Gabriel Clements, et al.,	M.C.R., 3867
Montgrillier H. Scindia, et al.,	" 3868
Manning L. Clements, et al.,	" 4218
Frances Dunn, et al.,	" 3866
Rufus Clements,	" 3868

I N D E X

List of papers forwarded to the Secretary of the Interior, comprising the record in the case of Gabriel Clements, et al., M.C.R. 3867.

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In parte affidavit of Thomas Ward, - - - - -	7
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In parte affidavit of Mary Warden, - - - - -	11
In parte affidavit of Emma Clements, - - - - -	13
Marriage record between Mamen Clements and Mary A. Lumsford, - - - - -	14
In parte affidavit of Gabriel Clements relative to discrepancy in his name in the foregoing marriage record, - -	15
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Certified copy of marriage record between Manning Clements and Mary A. Luneford, - - - - -	27
Certificate of D. H. Linebaugh, Notary Public, to the effect that the foregoing marriage license is a true and correct copy of the certified copy of the marriage license of Manning Clements and Mary A. Luneford, certified to by James C. Brown, Judge of Probate of Tuscaloosa County, Alabama, - - - - -	28
Certified copy of the ex parte affidavit of Montgrilliar Swindle, - - - - -	29
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Certified copy of ex parte affidavit of Gabriel Clements, -	43

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Certified copy of marriage record between Manon Clements and Mary A. Lunsford, - - - - -	53
Certificate of D. H. Linbaugh, Notary Public, to the effect that the foregoing is a true and correct copy of the certified copy of the marriage license of Manon Clements and Mary A. Lunsford, certified to by James G. Brown, Judge of Probate of Tuscaloosa County, Alabama, -	59
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Original copy of the testimony of John Swindle, taken by the Commission at Atala, I. T., October 20, 1931, in behalf of the applications of Montgrillier Swindle, et al., Frances Dunn, et al., Gabriel Clements, et al., and Mary Ann Clements,	74
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Certificate of D. H. Linbaugh, Notary Public, certifying that the foregoing is a true and correct copy of the certified copy of the marriage license of Menon Clements and Mary A. Luneford, certified to by James C. Brown, Judge of Probate of Tallapoosa County, Alabama,	77
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Decision of the Commission refusing the application of Gabriel Clements, et al., for identification as Mississippian Chockmah,	83

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Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

-----:-----

In the matter of the application of Montgrilliar M. Swindle for the identification of herself and her nine minor children, John S., Benjamin U., Bessie M., May A., Leonard C., Isaderah, Mattie M., Earl K., and Homer Swindle, as Mississippi Choctaws. M.C. R. 3865.

In the matter of the application of Drances Dunn for the identification of herself and her four minor children, Bertie L., Ellis, Effie and Joe Dunn, as Mississippi Choctaws. M.C.R.3866.

In the matter of the application of Gabriel Clements for the identification of himself and his four minor children, Lettie R., Gertrude, Roy C., and Branie Clements, as Mississippi Choctaws. M. C. R. 3867

In the matter of the application of Rufus Clements for identification as a Mississippi Choctaw. M. C. R. 3868.

-----:-----

John Swindle, being called as a witness in the above entitled causes and being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Swindle is my name.
Q What's that? A S-w-i-n-d-l-e .
Q What is the full name? A John. John Swindle.
Q Your name is John Swindle. Where do you live? A Live here.
Q Live in Atoka? A Yes sir.
Q Well, do you know these parties, Montgrilliar Swindle, Frances Dunn Gabriel Swindle and Rufus Swindle? A I do.

(2).

- Q You are how old? A Forty-three years old.
- Q What is your occupation? A Farming.
- Q When did you know them and where? A I have knowed them all my life.
- Q Well did you know them in-----A In Alabama.
- Q Alabama? A Yes sir, we was all borned and raised there.
- Q Where in Alabama? A Tuscaloosa County.
- Q Did you know them there? A Yes sir.
- Q When did you leave Alabama? A About eight or nine years ago.
- Q Did they leave with you at the time? A Yes sir.
- Q Where did you go to? A Went to Lamar County.
- Q Are you related to these parties? A One of them is my wife sir.
- Q Therefore you are married into the family by marrying-----? A Montgrilliar.
- Q What do you know about their having Choctaw blood? A I don't know anything only what I have been told by Mr.Clements their father.
- Q Is he living now? A Yes sir.
- Q Where is he? A He's in Alabama, Tuscaloosa County.
- Q What did he tell you? A He told me that they was part Choctaw. I don't know just exactly whether he claims any certain part or not.
- Q He didn't say how much? A No sir.
- Q You know nothing of your own personal knowledge? A No sir, only what I have heard.
- Q Did you ever hear that from anybody else? A Yes sir, all the old people there knowed they was part Indian.
- Q The old people who lived in Tuscaloosa County? A Yes sir. Their grandfather went by the name of "Old Indian Tom.
- Q Indian Tom? A Yes sir.
- Q Did you know him? A Yes sir.
- Q Do you know that he went by that name? A Yes sir.
- Q Did you hear him called that name? A Yes sir.
- Q Is there anything more that you know about their having Indian blood? A Nothing more than Mr.Clements said-----the old man Manning Clements-----that his grandfather fought in the semi-nole war with General Jackson and drew a land warrant there.
- Q As a soldier in that war? A Yes sir, but he didn't know whether he ever laid that warrant or not.
- Q And you don't know? A No sir, I know nothing about it. I am not old enough to.
- Q You don't know whether any of these people complied with the treaty of 1830do you, or Article XIV of that treaty? A No sir.
- Q Or whether they ever received any benefits as Choctaw Indians from the Government? A Well, Mr.Clements says that he never did. I don't know it.
- Q You know nothing more about this matter then? A No sir.

Witness excused.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic Notes in said cause on the said day of October, 1901. *Hal Belford*
Subscribed and sworn to before me this 11 day of January, 1902.

John Mitchell
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 27, 1901.

#2267.

In the matter of the application of Gabriel Clements
for the identification of himself and his four minor children, Lottie
R., Gertrude, May C. and Francis Clements, as Mississippi Choctaws.

Applicant not represented by Attorney.

Gabriel Clements, being first duly sworn, upon his
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Clements. Gabriel Clements.
Q What is your age? A Twenty-eight years old.
Q How do you spell that Gabriel? A G-a-b-r-i-e-l.
Q Twenty-eight? A Yes sir.
Q What is your post office address? A Atoka, Texas-----Atoka I.T.
Q How long have you lived in Atoka? A Been here ever since last
Thursday.
Q Where were you born? A I was born in Alabama.
Q Where? A Tuscaloosa County.
Q Removed from there when? A About nine years ago.
Q Where did you go to when you went from there? A Went to Miles
County Texas.
Q Where? A Miles County, Texas.
Q Where have you lived while in Texas? A Well, I lived some in
Miles County, some in Hamilton County and went then to Brown
County.
Q Always lived in Texas until you came to Atoka? A Yes sir, except
four months. I went back and stayed four months.
Q When did you go back? A Seven years ago.
Q Then you came back to Texas? A Yes sir.
Q What is your father's name? A Manning Clements.
Q Is he living? A Yes sir, I reckon he is. He was the last I
heard from him.
Q What is your mother's name? A Angelina Clements.
Q Is she living? A No sir, she's dead.
Q Through which parent do you claim Choctaw blood? A My father.
Q How much do you claim? A An eighth.
Q Have you proof of the marriage of your father and mother? A No
sir, I haven't.

(2).

- Q Think you can get it if given time? A I reckon I could.
- Q You don't know whether they were married by a minister under a license? A No sir, I do not.
- Q Her when? A They was married in '61 or '62, I think.
- Q In Alabama? A Yes sir, in Tuscaloosa County, Alabama.
- Q Has your father ever been recognized in any way or enrolled as a member of the Chectaw Tribe of Indians by either the Chectaw Tribal Authorities or the United States Authorities? A Not that I know of.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Beuna.
- Q What? A Beuna Clements.
- Q How do you spell that? A B-e-u-n-a.
- Q Is she a white woman or an Indian? A White woman.
- Q Do you make any claim for her? A No sir.
- Q Have you children you want to make application for? A Yes sir, I have four children.
- Q Three? A Four.
- Q What is the name of the eldest? A Lottie Ruth Clements.
- Q Lottie? A Yes sir, Lottie Ruth Clements.
- Q How old is she? A She was borned May 26, 1896.
- Q 18 when? A '96.
- Q Next? A Gertie Clements.
- Q Or Gertrude, which is it? A Gertrude is the name. I just put it Gertie.
- Q How old is she? A She was borned March 26, 1899.
- Q Two years old? A Hold on, I have got that wrong. September 13, 1897.
- Q Four years old? A Four years old.
- Q Next? A Roy Columbus Clements.
- Q How old? A March 26, 1899.
- Q Two years? A Two years old.
- Q Is that all? A Brazie Clements.
- Q How do you spell that? A B-r-a-z-i-e.
- Q Girl? A Yes sir, August 6, 1900.
- Q One year? A Yes sir.
- Q Do you claim for yourself and these children? A Yes sir.
- Q When and where were you married to your wife? A I was married in McClelland County, Texas, March 13, 1895.
- Q By a minister under a license? A Yes sir.
- Q Was she ever married previous to her marriage to you? A No sir.
- Q Were you ever married before you married her? A No sir.
- Q Is she the mother of these children? A Yes sir.
- Q Have you your marriage license and certificate with you? A No sir, not yet. I have written for it.
- Q Do you think you can produce it if given time? A Yes sir.

reasonable time will be allowed this applicant to produce proof of the marriage of his father and mother. Also proof of the marriage of himself and his wife.

- Q Is your name on any of the tribal rolls of the Chectaw Nation in the Indian Territory? A Not that I know of.
- Q Have you ever made application to the Chectaw Tribal Authorities for citizenship for yourself and children in the Chectaw Nation? A No sir.

(2).

- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and your eldest child, Gertrude, to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation, by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian territory? A No sir.
- Q Is this the first application for citizenship that you have ever made, either to the Choctaw Tribal Authorities or to the United States Authorities? A Yes sir.
- Q Either for yourself or children? A Yes sir.
- Q Do you now seek to be identified as Mississippi Choctaws, that is, for yourself and children? A Yes sir.
- Q Claiming under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Well, I don't know that I do, but I have heard it read enough so's I understand it as well as I could.
- Q You have heard it read and explained a number of times have you? A Yes sir, I have.
- Q Do you waive further explanation? That is do you understand it well enough to waive further explanation? A I reckon so.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A No sir, not that I know of.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A My father's name is Clements.
- Q What? A My father's name is Clements.
- Q Yes, but I mean your remote ancestor? A Brenard Clements.

(3).

- Q Where was he born? A I couldn't tell you where he was born.
- Q Where did he die? A Couldn't tell you that.
- Q Where did he live while he was alive? A Well, he lived in Alabama.
- Q Do you know what part of Alabama? A No sir, I don't.
- Q Is Montgrillier Swindle your sister? A Yes sir.
- Q And Frances Dunn? A Yes sir.
- Q They both claim through the same ancestor that you claim through? A Yes sir.
- Q They both made application for identification to-day, October 29? A Yes sir.
- Q Do you want to have their testimony considered with yours when yours is considered? A Yes sir.
- Q How much Choctaw blood did you say this great-grandfather had? A I have been told that he was a fullblood Choctaw.
- Q Did he speak the Choctaw language? A I couldn't tell you whether he did or not.
- Q Did he have an Indian name? A Not that I know of.
- Q Did he ever go from Mississippi or Alabama to the Choctaw Nation, Indian Territory? A Not that I know of.
- Q His son's name was what? A Gabriel.
- Q Gabriel? A Yes sir.
- Q Did he live in Mississippi or Alabama in the old Choctaw Nation? A He lived in Alabama, in Tuscaloosa, I don't know whether that's in the old Choctaw Nation or not. Can't say.
- Q Did he speak the Choctaw language do you know? A Not that I know of.
- Q Which of your Choctaw ancestors lived in Alabama in 1830 and were the heads of families there? A I suppose my great-grandfather was.
- Q Brenard? A Yes sir, he fought in the Seminole war there, I believe in 1812.
- Q 1812? A Yes sir, under Jackson, I think.
- Q How old a man was he at that period to you know? A No sir.
- Q Did your father ever live in Alabama? A Yes sir, born and raised there.
- Q Was he born there? A Yes sir.
- Q Do you know when? A No sir, I don't know just what date.
- Q Or where? A No sir, I couldn't say what place.
- Q Do you know where Gabriel Clements died? A He died somewhere in Missouri.
- Q Missouri? A Yes sir, I couldn't say what place.
- Q Your father is how old now? A He's sixty-seven or eight years old.
- Q Do you think they lived in the old Choctaw Nation in Alabama? A I couldn't say whether they did or not. They lived in Tuscaloosa County?
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A No sir, not that I know of.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi or Alabama and take land there? A Not that I know of.
- Q Did any of your Choctaw ancestors receive any land or claim any under article XIV of the Treaty of 1830? A No sir.
- Q Did any of your Choctaw ancestors receive or claim any land under any other article of the treaty of 1830 than Article XIV or under

(4).

- the Supplement of that Treaty? A No sir, not that I know of.
- Q After that Treaty of 1830 was ratified-----it was ratified on February 24th, 1841-----and within six months after its ratification, Article XIV of that treaty required that all Indians who stayed back there in Mississippi and Alabama in the old Choctaw Nation should go to the United States Indian Agent, and tell him that they wanted to stay in Mississippi or Alabama in the old Choctaw Nation, and take land there and become citizens of the United States. It required the United States Indian Agent to record the names of all such Indians who did come before him under Article XIV of the Treaty of 1830 and made these claims. This Agent made out a list called Ward's Register, which contains the names of less than one hundred Indians and heads of families who actually went before him, but in addition to the names on that list there were hundreds and perhaps thousands of Indians who went to him and whose names he failed to place upon any list. This negligence on the part of the Indian Agent caused a great many Indians who held land in Mississippi and Alabama to lose that land, for it was sold by the Government together with improvements. This caused a great many complaints on the part of the claimants, so that in 1837 Congress by an act approved March 3rd of that year appointed a Commission. This Commission went to Mississippi and heard claimants under Article XIV of the Treaty of Dancing Rabbit Creek and made lists of the names of successful claimants. In 1842 Congress appointed another Commission for the same purpose and these two Commissions went to the State of Mississippi and heard claimants under Article XIV of that Treaty. Did any of your Choctaw ancestors go before either of those Commissions, the Commission of 1837 or the Commission of 1842 and claim benefits under Article XIV of that Treaty? A Not that I know of.
- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw claimants went before that Commission of 1842 and proved their claims, and if it was shown that their land had been taken from them by the Government, that they should be entitled to select land either in Alabama, Mississippi, Louisiana or Arkansas to be taken from vacant Government land and that a certificate should be given to him to that effect. These certificates were called scrip. Do you know if any of your Choctaw ancestors received any such scrip from the Government? A No sir, I understood that my great-grandfather received a country house and land for his services in the war.
- Q For services in the Seminole War? A Yes sir, that's my understanding. I don't know, don't remember.
- Q You don't know anything about this scrip then under the Article of 1842? A No sir, I don't.
- Q That is of August 23rd? A No sir.

(The name of Bernard Clements appears on page 371, Volume VII, American State Papers, as having received scrip for military services performed as private in the Virginia Continental Line, during the Revolutionary War.)

- Q Have you any documentary evidence now that you want to present in support of this application? A Yes sir, we will have pretty soon, when you get through with our witnesses.
- Q You have some witnesses? A We have witnesses, yes sir.

(5).

- Q Is there anything further you want to say in support of your claim? A No sir.
- Q You want to have these witnesses heard in all three cases do you? A Yes sir, all four cases.

This applicant has the appearance and physical characteristics of being descended from white parentage, except his complexion, black eyes and dark brown hair. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five civilized Tribes he reported in full all the proceedings in the above entitled cause, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on October 29, 1901.

Hal Belford

Subscribed and sworn to before me this 21 day of December, 1901.



Commissioner.

J.W.L.
C.V.W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Gabriel Clements, et al., for identification as Mississippi Choctaws, consolidating the applications of -

Gabriel Clements, et al.,	H.C.R.	3867
Montgrilliar M. Swindle, et al.,	"	3868
Manning L. Clements, et al.,	"	4213
Frances Dunn, et al.,	"	3868
Rufus Clements,	"	3868

--- D E C I S I O N ---

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Gabriel Clements for himself and his four minor children, Lottie Ruth, Gertrude, Ray Columbus and Francis Clements; by Montgrilliar M. Swindle for herself and her nine minor children, John S., Benjamin V., Daniel M., Ray A., Leonard C., Landerah, Mattie M., Earl Kinster and Homer Swindle; by Manning L. Clements for himself and his two minor children, Pearl M. and Manning L. Clements, Jr.; by Frances Dunn for herself and her four minor children, Bertie Lee, Willie Grant, Effie and Joe Dunn, and by Rufus Clements for himself, under the fol-

lawing provision of the act of Congress approved June 22, 1906 (34 Stat., 498):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Edmund (or Bernard) Clements, who is alleged to have been a full blood Choctaw Indian.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1906 (34 Stat., 221).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Edmund (or Bernard)

--3--

Clements, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Chectaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Gabriel Clements, Lottie Ruth Clements, Gertrude Clements, Ray Columbus Clements, Bracie Clements, Montgrillias M. Swindle, John S. Swindle, Benjamin U. Swindle, Bessie M. Swindle, May A. Swindle, Leonard G. Swindle, Isadorah Swindle, Mattie M. Swindle, Earl Kinston Swindle, Homer Swindle, Manning L. Clements, Pearlle M. Clements, Manning L. Clements, Jr., Frances Dunn, Bertie Lee Dunn, Elsie Grant Dunn, Effie Dunn, Joe Dunn and Rufus Clements, as Chectaw Indians entitled to rights in the Chectaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Tamr Dixby.

Acting Chairman.

(SIGNED)

T. B. Needles.

Commissioner.

(SIGNED)

J. R. Brackinridge.

Commissioner.

Muskogee, Indian Territory.

OCT 14 1902

Muskogee, Indian Territory, December 11, 1901.

Gabriel Clements,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of five copies of the marriage license and certificate of Helen Clements and Mary M. Lanford of the 21st day of December, 1889 together with affidavits attached thereto as to the proper spelling of the name of Manning Clements offered by you for filing in support of the applications of the children of Manning Clements for identification as Mississippi Choctaws.

You are informed that the same have this day been filed and made a part of the record in the following cases of applicants for identification as Mississippi Choctaws:

Montgrillier Swindle, et al.
Frances Dunn, et al.
Gabriel Clements, et al.
Infant Clements, et al.
Manning M. Clements, et al.

Yours truly,

M C R 3868
M C R 3869
M C R 3867

Commissioner in Charge.

COPY.

M O R 3867

Muskogee, Indian Territory, October 14, 1908.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 14th day of October, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Gabriel Clements, et al., embracing the following applications for identification as Mississippi Choctaws:

Gabriel Clements, et al.,	M O R 3867
Montgrilliar M. Swindle, et al.,	M O R 3865
Hanning L. Clements, et al.,	M O R 4213
Frances Dunn, et al.,	M O R 3866
Rufus Clements,	M O R 3868

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ca-

Briel Clements, Lottie Ruth Clements, Gertrude Clements, Roy Columbus Clements, Brasia Clements, Montgrilliar M. Swindle, John S. Swindle, Benjamin V. Swindle, Basile M. Swindle, May A. Swindle, Leonard C. Swindle, Isadorah Swindle, Mattie M. Swindle, Earl Kinston Swindle, Homer Swindle, Manning L. Clements, Pearlle M. Clements, Manning L. Clements, J. P. Frances Dunn, Bertie Lee Dunn, Willie Grant Dunn, Effie Dunn, Joe Dunn and Rufus Clements, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.*

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

T. D. McCallister

Commissioner in Charge.

COPY.

M O R 3867

Muskogee, Indian Territory, October 14, 1902.

Gabriel Clements,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Gabriel Clements, et al., embracing the following applications for identification as Mississippian Choctaws:

Gabriel Clements, et al.,	M O R 3867
Montgrilliar M. Swindle, et al.,	M O R 3865
Manning L. Clements, et al.,	M O R 4213
Francess Dunn, et al.,	M O R 3866
Rufus Clements,	M O R 3868

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ga-

Abriel Clements, Lottie Ruth Clements, Gertrude Clements, Roy Columbus Clements, Brazie Clements, Montgrilliar M. Swindle, John S. Swindle, Benjamin U. Swindle, Basile M. Swindle, May A. Swindle, Leonard O. Swindle, Isadorah Swindle, Mattie M. Swindle, Earl Kingston Swindle, Homer Swindle, Manning L. Clements, Pearlle M. Clements, Manning L. Clements, Jr., Frances Dunn, Bertie Lee Dunn, Ellie Grant Dunn, Effie Dunn, Joe Dunn and Rufus Clements, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

T. D. McCall.

Commissioner in Charge.

Registered.

COPY.

M O R 3867

Muskogee, Indian Territory, October 30, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Gabriel Clements, et al., applicants for identification as Mississippi Choctaws, including the decision of the Commission of October 14, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Gabriel Clements, et al.,	M.C.R. 3867
Montgrilliar M. Swindle, et al.,	M.C.R. 3865
Manning L. Clements, et al.,	M.C.R. 4213
Frances Dunn, et al.,	M.C.R. 3866
Rufus Clements,	M.C.R. 3868

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully, (SIGNED)

Tame Linby.

Acting Chairman.

Through the
Commissioner of Indian Affairs.

Enc. M.C.R. 3867

Land, 65308-1902.

COPY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,
December 11, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of the Commission to the Five Civilized Tribes in matter of the consolidated application for identification as Mississippi Choctaws of the following parties, wherein a decision adverse to their claims was rendered by the Commission on October 14, 1902.

Gabriel Clements for himself and four children, Lottie Ruth, Gertrude, Roy Columbus and Brazie Clements; Montgrilliar M. Swindle for herself and nine children, John S., Benjamin U., Bazzie M., May A., Leonard C., Isadorah, Mattie M., Earl Kinston and Homer Swindle; Manning L. Clements for himself and two children Pearlle M., and Manning L. Clements, Jr.; Frances Dunn for herself and four children, Bertie Lee, Ellie Grant, Effie and Joe Dunn and by Rufus Clements for himself.

It appears from the testimony in this case that the applicants base their claims to identification as Mississippi Choctaws on their descent from Brenard (Bernard) Clements and Gabriel Clements.

The Commission makes its decision rejecting these parties because its records fail to show that Brenard (Bernard) Clements and Gabriel Clements, or any ancestor less remote, or any of the applicants themselves ever complied or attempted to comply with the pro-

visions of article 14 of the Choctaw treaty of 1830.

Upon examination of the records of this office, it appears that the names of Brenard (Bernard) Clements and Gabriel Clements are not among the names of those Choctaw Indians who complied with or attempted to comply with the provisions of article 14 of the treaty of 1830, and neither are there so found the names of any of their descendants, and the office recommends that the finding of the Commission rejecting the parties be approved.

Very respectfully,

A. C. Tenner,

Acting Commissioner.

E.B.H. H'r.

D.C.-1994-1903.

(COPY).

J.W.H.
JHE.

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

I.T.D. 7713-1902.

January 19, 1903.

L. R. S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the applications for identifications as Mississippi Choctaws of Gabriel Clements (M.C.R. 3867) for himself and his four minor children, Lottie Ruth, Gertrude, Roy Columbus and Brazie Clements; of Montgrilliar M. Swindle for herself and her nine minor children, John S., Benjamin U., Bazzle M., May A., Leonard C., Isadorah, Mattie M., Earl Kinston, and Homer Swindle; of Manning L. Clements for himself and his two minor children, Pearlle M., and Manning L. Clements, Jr., of Frances Dunn for herself and her four minor children, Bertie Lee, Ellie Grant, Effie and Joe Dunn; and of Rufus Clements for himself, wherein a decision adverse to their claims was rendered by your Commission on October 14, 1902.

The principal applicants are the children of one Manning Clements, a quarter blood Choctaw now living in Tuscaloosa county, Alabama, who was born about 1833. His father, Gabriel Clements, a 1/2 blood Choctaw, and his grandfather, Brenard (Bernard) Clements, a full blood Choctaw were both residents of Alabama. Gabriel was probably head of the family in 1830.

The testimony as furnished by the record fails to show that these applicants, or any one of their alleged ancestors, complied or attempted to comply with the provisions of article 14 of the treaty

of September 27, 1930, or with the subsequent acts relating thereto. It also seems that the records in your possession as well as those at the Indian Office, fail to supplement this lack of proof. In view of the facts above stated it cannot be held that these applicants have established their claims.

Reporting in the matter December 11, 1902, the Acting Commissioner of Indian Affairs recommends that your decision be approved. The Department concurs therein and your decision is accordingly affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

M.C.R. 237.

COPY.

Waskoge, Indian Territory, January 28, 1903.

Gabriel Clements,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that on January 19, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gabriel Clements, et al., of which decision you were advised by registered mail on the 14th day of October, 1902.

Respectfully,

SIGNED:

Tarne Bixby.
Acting Chairman.

M.C.R. 2267.

COPY:

Muskogee, Indian Territory, January 28, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on January 19, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gabriel Clements, et al., of which decision you were advised by mail on the 14th day of October, 1902.

Respectfully,

SIGNED

Tamie Diaby
Acting Chairman.

Muskogee, Indian Territory, July 2, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

In the matter of the consolidated Mississippi Choctaw case of Gabriel Clements, et al., the record therein, together with the decision of the Commission refusing the several applications in this case, was, on October 30, 1902, transmitted to the Department.

On January 19, 1903, the Department approved the decision of the Commission in this case, and on January 23, 1903, the several applicants were duly notified of such departmental action.

On June 10, 1903, the Commission received from Montgrilliar Swindle, one of the applicants in said consolidated case, his sworn petition for a rehearing, and the same is herewith transmitted.

Respectfully,

Through the Commissioner
of Indian Affairs.

Chairman.

Land.
41281-1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, August, 5, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith letter of the Commission to the Five Civilized Tribes of July 2nd in the matter of the consolidated Mississippi Choctaw case of Gabriel Clements, et al., transmitting a petition for a rehearing.

This petition is signed by Montgilliar Swindle, setting out various reasons for the granting of a rehearing. He sets forth that Bernard Clements was a full-blooded Choctaw Indian in the State of Mississippi, and Gabriel Clements was his half-blooded son, the mother being white; that Bernard Clements attempted to comply with the provisions of the 14th Article of the Choctaw Treaty, appearing before United States Agent Ward to register for the five years' stay, but was refused registration by Ward.

The decision of the Commission rejecting the applicant in the case referred to was approved by the Department on January 19, 1903,

The records of this office have been examined with reference to the name of Bernard Clements and Gabriel Clements, and it is ascertained that neither of them appears as a beneficiary under the provision of the 14th Article of the Choctaw Treaty. That being the case, I can see no justification for a rehearing, since it could not result in any other decision than that already arrived at while based upon descent from the persons named.

Very Respectfully,

Commissioner

D.C.25183.
ITD.6064-1903.

L.R.S.

DEPARTMENT OF THE INTERIOR

WASHINGTON

WCF.
EAF.

AASVS903.
August 18, 1903/

Commission to the Five Civilized Tribes,
Muskogee, I.T.

Gentlemen:

July 2, 1903, you transmitted a petition for rehearing in the consolidated Mississippi Choctaw case of Gabriel Clements, et al., signed by Montgrilliar M. Swindle.

Reporting August 5, 1903, the Acting Commissioner of Indian Affairs states that he can see no justification for a rehearing, since it could not result in any other decision than that arrived, while based upon descent from the person named.

The Department is of the opinion that the petition is not sufficient within itself to justify the reopening of the case. You are directed to inform the petitioner as to the requirements necessary to secure a reopening of the case, as same are set forth in departmental letter of July 29, 1903, relative to the Mississippi Choctaw case of Triona Brashears et al.

Respectfully,

M. W. Miller,
Acting Secretary

Gabriel Clements et al

vs
Choctaw Nation

Affidavit of
Jane Hensley

Copy

R 3867

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 1 1901



ACTING CHAIRMAN.

Replied
to apply the
Independent
Lawments have for

Gabriel Clements
vs
Choctaw Nation

Applicant of
Jane Henry

Best copy.

R 3867

to apply the
Refus Lamentable case for
Citizenship

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
FILED
NOV 1 1901

ACTING CHAIRMAN.

State of Arkansas In the matter of the Petition of Gabriel
Clement of Sebastian County, { Clements for citizenship rights in the
Choctaw nation.

Affidavit of Jane Hensley,

Personally appeared before me a Notary Public in
and for Sebastian County, State of Arkansas Jane
Hensley, whose post office address is Greenwood
Arkansas and who is 79 years of age and being first
duly sworn on oath deposes and says that she once
knew a half blood Choctaw Indian in the state of
Alabama by the name of Gabriel Clements that to
the best of Testalors recollection the said Gabriel
Clements and his son meaning with several
other children - that neither of the above named
Clements emigrated West with the other Indians
that Testalor is aware of and is informed by other
parties who came West later than herself that their
descendants or a large part of them are still in the state
of Ala. That the above named meaning Clements had
among his other children a son named Gabriel.

Further that Testalor is not interested directly or
indirectly in this cause and that the facts stated
are true and correct.

Witness to mark: Milton P. Boyd.

Jane ^{her} Hensley,
mark

Seal

Subscribed and sworn to before me this 26th day
of Sept 1901.

Milton P. Boyd

My Comm. Expires Feb'y 19th 1903.

Notary Public

Certified copy of the original.

G. W. Goodwin

Gabriel Clemente et als
vs
Choctaw Nation

Affidavit of
Mary Warden

Cert copy

Central District } In the matter of the Petition of Gabriel
Choctaw Nation } Clements for citizenship rights in the
Indian Territory } Choctaw Nation

Affidavit of Mary Warden

State of Arkansas }
County of Sebastian } Personally appeared before me a
notary Public in and for said County Mary Warden
citizen of the state of Ark whose age is 84 years and
whose post office address is Ladd Ark Van Buren
Co who being first duly sworn as prescribed by law
in relation to the above named case deposes and
says that she once knew a half blood Choctaw
Indian in the state of Alabama by the name of
Gabriel Clements that neither of the said Clements
emigrated West that testator is aware of and
that from other parties who came West at a later
date than herself she is informed and believe that
that their descendants or a large part of them
are still in the state of Ala. That the above
named Gabriel Clements had among his other children
a son named Manning Clements whose family
I personally knew and further that the said Manning
Clements had a son named Gabriel Clements.
That each of the above named Clements had fam-
ilies but testator knows only the older members
thereof.

Further that testator is not interested
directly or indirectly in this cause and that the
facts stated are true and correct to the best of testator's

Knowledge.

Mary ^{Warden} ~~Warden~~

Attest:

Annie McDonald

A. A. McDonald

Seal

Sworn to and subscribed before me
this the 26th day of Sept 1901.

A. A. McDonald

Notary Public

My Comm. Expires Aug 30th 1902

Certified copy of original
J. W. H. Linbaugh
Notary Public

Gabriel Clemente et al.

vs

Choctaw Nation

Affidavit of

Mary Warden

Cert. copy

Gabriel Clement & Co
48
Choctaw nation

Aff. of
Mary Warden
Best copy

Central District } In the matter of the Petition of
Choctaw Nation } Gabriel Clements for citizenship rights
Indian Territory } in the Choctaw Nation
Affidavit of Mary Warden.

State of Arkansas }
County of Sebastian } Personally appeared before me a
Notary Public in and for said County Mary Warden
citizen of the state of Ark whose age is 84 years and whose
post office address is Lada Ark Van Buren Co who being
first duly sworn as prescribed by law in relation to the
above named case deposes and says that she once knew
a half blood Choctaw Indian in the state of Alabama
by the name of Gabriel Clements that neither of the
said Clements emigrated West that testator is
aware of and that from other parties who came west
at a later date than herself she is informed and
believes that their descendants or a large part of
them are still in the state of Ala.- That the above
named Gabriel Clements had among his other children
a son named Manning Clements whose family I
personally knew and further that the said Manning
Clements had a son named Gabriel Clements that each
of the above named Clements had families but testator
knows only the older members thereof.

Further that testator is not interested directly
or indirectly in this cause and that the facts
stated are true and correct to the best of testator's
knowledge

Mary ^{Warden} Warden

Attest: Annie McDonald

A A McDonald.

Subscribed and sworn to before me this the
26th day of Sept 1901.

Seal

A A McDonald

Notary Public

My Com Expires Aug. 30th 1902.

Certified copy of the original

Geo H. Firebaugh
Notary Public

Ernie Clementals

vs

Choctaw Nation

Off. of

Mary Warden

cert copy

Gabriel Clemente chas
Choctaw ⁷¹ nation

affidavit of
Thos Ward

best copy

Central District } In the matter of the Petition of Gabriel
Choctaw Nation } Clements for citizenship rights in the
Indian Territory } Choctaw Nation.

Affidavit of Thomas Ward.

State of Arkansas }
County of Sebastian }

Personally appeared before me a notary
Public in and for the above named County Thomas Ward
whose post office address is Paris Logan County Ark
and whose age is about 65 years being first duly sworn
deposes and says that he was well and personally
acquainted all his life with Gabriel Clements a
half blood Choctaw Indian was also a neighbor
to Sam Clements Gabriel Clements brother and knew
all of their family among them a son of Gabriel Clement
named Manning Clements who also had a number
of children whom he knew and remembers the older
ones names Gabriel Clement Martha Clement
who married one Swindle and Francis who mar-
ried one Durm

Further that Manning had eight children and
to the best of his knowledge are all living at the present
time but your testator remembers only the above
names That testator is not interested directly
or indirectly in this case and that the facts stated
are true and correct

attest.

Thomas ^{his} Ward.
man

A. A. McDonald

Auntie McDonald

Sworn to and subscribed before me
this 26th day of Sept 1901.

seal

A. A. McDonald
Notary Public

my Com Expires Aug 30th 1902

Gabriel Clement et als

vs
Choctaw Nation

Affidavit of
Jane Hensley

Best Copy

State of Arkansas In the matter of the Petition of Gabriel
Clement of Sebastian County for citizenship rights in the
Choctaw nation

Affidavit of Jane Hensley

Personally appeared before me a Notary Public in and
for Sebastian County, State of Arkansas Jane Hensley,
whose post office address is Greenwood Ark. and whose
age is 78 years and being first duly sworn on oath de-
poses and says that she once knew a half blood Choctaw
Indian in the state of Alabama by the name of Gabriel
Clements That to the best of testator's recollection the said
Gabriel Clements and his son Manning with several
other children - that neither of the above named
Clements emigrated West with ^{the} other Indians that
testator is aware of and is informed by other parties
who came West later than herself that their de-
scendants or a large part of them are still in the
state of Ala. That the above named Manning
Clements had among his other children a son
named Gabriel Further that testator is interested
directly or indirectly in this cause and that the
facts stated are true and correct

Witness to mark

Jane ^{her} Hensley
mark

Milton Boyd

Subscribed and sworn to before me this

Seal

the 4th day of Sept 1901

Milton P. Boyd

Notary Public

My Com Expires Feb 19th 1903

Certified copy of original
S. W. Hooker

Gabriel Clements et al

vs

Choctaw Nation

Affidavit of
Thos Ward

(cert copy)

R 3867

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 1 1901

 ACTING CHAIRMAN

Attest to Francis D. Marshall
for his hand

Gabriel Marcant 48

Cherokee Nation

Affidavit of
Three Men

(copy)

R 3867

To apply to Francis D. ... case
for citizenship

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 1 1901

ACTING CHAIRMAN

Central District } In the matter of the Petition of
Choctaw Nation } Gabriel Ward for citizenship rights
Indian Territory } in the Choctaw Nation.

Affidavit of Thomas Ward.

State of Arkansas }
County of Sebastian } Personally appeared before
me a Notary Public in and for the above
named County Thomas Ward whose post office address is
Paris Logan County Ark and whose age is about 65 years
being first duly sworn deposes and says that he was
well and personally acquainted all his life with
Gabriel Clements a half blood Choctaw Indian was
also a neighbor to Tom Clements Gabriel's brother and
knew all of their family among them a son of Gabriel
Clements named Manning Clements who also had a
number of children whom he knew and remembers
the older ones names Gabriel Clements Martha Clements
who married one Swindle and Francis who married
one Dunn. Further that Manning had eight children
and to the best of his knowledge are all living, at the
present time but your testator remembers only
the above names that testator is not interested
directly or indirectly in this cause and that the
facts stated are true and correct.

Attest. A A McDonald

Thomas ^{his} Ward
witness

Annie McDonald

Subscribed and sworn to before
me this 26th Sept 1901.

(seal)

A A McDonald

Notary Public

Certified copy of the original } my Com Expires Aug 30 1902.
G. W. Goodwin }

REFER TO M. O. R. 3867

Gabriel Clements et al

Consolidated Case

Brenard Clements, full

Tom Clements

Gabe or Gabriel Clements 1/2

Manning Clements 67. 1/4

Angeline Clements, dead

Jake Clements, dead

mch
3865

Montgrialar Clements, 37 7/8

married

J. M. Swindle, w.

mch
4212

Manning L. Clements, 32 7/8

married

Josie M. Sapp, w.

mch
3866

Frances Clements, 30. 1/8

married

Grant G. Dunn, w

mch
3867

Gabriel Clements, 28 1/8

wife

Bessie Clements w.

mch
3868

Rufus Clements, 26. 1/8

mch
3869

John S. Swindle, 19

Benjamin U. Swindle, 16

Bazyle M. Swindle, 14

May A. Swindle, 12

Leonard C. Swindle, 9

Isadorah Swindle, 7

Mattie M Swindle, 5

Earl Kunston Swindle, 20

Homer Swindle, 7-m.

mch
4213

Pearlie Clements 3

Manning L. Clements Jr. 10m

mch
3866

Bertie Lee Dunn, 11

Ellie Grant Dunn, 6

Effie Dunn, 4

Joe Dunn, 1

mch
3869

Lottie Ruth Clements, 5

Gertrude Clements, 4

Roy Columbus Clements, 2

Brazie Clements, 1

No. 3867

For Identification as a Mississippi Choctaw.

Date OCT 29 1901

Name *Gabrie Clements*

Age 28 - Blood 1/8

Post Office, *Alata. I.T.*

Father: *Manning Clements, d*

Mother: *Angeline " d*

Claims through *father*

wife. Beuna ... w.

No claim for wife. -

Children:

<i>Lottie R. Clements,</i>	<i>5</i>
<i>Gertrude "</i>	<i>4</i>
<i>Roy C. "</i>	<i>2</i>
<i>Brazie (girl)</i>	<i>1</i>

*Claims for self &
children*

Stenographer *W. B. Balfour*

Choctaw MCR 3868

Rufus Clements

See MCR 3867

MCR 3868

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3868.

In the matter of the application of Rufus Clements for
identification as a Mississippi Choctaw.

Applicant not represented by Attorney.

Rufus Clements, being first duly sworn, upon his oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Rufus Clements.
Q Rufus? A Yes sir.
Q What is your age? A Twenty-six.
Q What is your post office address? A Atoka here.
Q How long have you lived in Atoka? A Ever since last Thursday.
Q Where were you born? A Tuscaloosa, Alabama.
Q When did you leave Alabama? A I left there in '93, December '93.
Q And you went from there where? A To Miles County, Texas.
Q Have you lived in Texas since until you came here? A No sir, I
went back to Alabama and stayed a couple of years in '95 in Sep-
tember, and I come back to Texas in '97 in September.
Q And where did you stay in Texas after you came back? A I stayed
in Miles County, near Antelope Gap.
Q Until you came to Atoka? A No sir, I went back to Alabama and
stayed six months in, I reckon about '99, in November '99, and I
come back to Texas then in August, 1900 I reckon, and stayed at
the same place near Antelope Gap.
Q Then you came from there to Atoka? A Yes sir.
Q What is your father's name? A Manning Clements.
Q Is he living? A Yes sir.
Q What is your mother's name? A Angeline Clements.
Q Angeline? A Yes sir.
Q Is she living? A No sir, she's dead.
Q Through which parent do you claim Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One-eighth.
Q When and where were your father and mother married? A They were
married in Tuscaloosa County, Tuscaloosa,
Alabama? A Yes sir, but I disremember what date. In '80 or '81
though.
Q By a minister under a license? A I couldn't say.

(2).

- Q Do you think you can get the evidence of their marriage? A Yes sir, I think so.
- Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A Not that I know of.
- Q Are you married? A No sir.
- Q Claim for yourself alone? A Yes sir.
- Q Is your name on any of the Tribal rolls of the Choctaw Nation in the Indian territory? A No sir, not that I know of.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time tried to become enrolled as a member of the Choctaw Tribe of Indians by making application either to the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A No sir.
- Q Do you now seek to be identified as a Mississippi Choctaw claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Well, I don't know as I particularly understand it, but I have heard it read. I don't know whether it will be necessary to read it any more or not.
- Q Wouldn't you like to have it further explained? A Well, I wouldn't care.
- Q The treaty of 1830 was made between the Choctaw Indians who lived in the old Choctaw Nation in Mississippi and Alabama and the United States Government. It was made for the purpose of getting all of the Choctaw Indians who lived in Mississippi and Alabama to leave that old Choctaw Nation and go to the new Choctaw Nation Indian Territory. It was made at a place called Canding Rabbit Creek in Mississippi and sometimes is called the treaty of Dancing Rabbit Creek. Before it was signed it became known that a great many Indians who belonged to the old Choctaw Tribe would not go to the Choctaw Nation Indian Territory, and in order to protect their interests Article XIV was put into the treaty. Article XIV reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of

(3).

age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you think you understand that article now? A Yes sir, I reckon so.
- Q Do you know whether any of your Choctaw ancestors comply with its provisions? A No sir, not that I know of.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Brenard Clements.
- Q What kin to you? A He was my great-grandfather.
- Q Was he a fullblood Choctaw Indian? A I have been told that he was, yes sir.
- Q Been told in the family? A Yes sir.
- Q Did he speak the Choctaw language? A I couldn't say.
- Q Did he have an Indian name? A I couldn't say.
- Q Did he speak the Choctaw language? A I couldn't say that either I don't know.
- Q Where was he born? A I don't know sir.
- Q When and where did he die? A I don't know sir.
- Q Did he ever live in Alabama or Mississippi? A I suppose he has. I couldn't positively say, but then that's my understanding that he has lived there.
- Q Who told you he ever did live in Alabama? A Well, my father has told me about being there.
- Q What part of Alabama? A Tuscaloosa, Alabama, I reckon.
- Q Tuscaloosa County? A Yes sir, Tuscaloosa County.
- Q Do you know whether that was in the old Choctaw Nation as it formerly was? A I couldn't positively say, but I suppose it was.
- Q Was he the head of a family there in Alabama in 1830? A Brenard Clements?
- Q Yes. A I couldn't say whether he was or not.
- Q What was his son's name? A Gabriel.
- Q You claim through him do you? A Yes sir, he was my grandfather.
- Q Did he live in Mississippi or Alabama? A Lived in Alabama, yes sir.
- Q Where did he die? A In Missouri.
- Q Do you know when? A No sir, I couldn't say when.
- Q His son was your father, Manning? A Yes sir.
- Q Where was he born? A My father?
- Q Yes. A In Alabama I suppose.
- Q He is living now where? A In Alabama.
- Q Tuscaloosa County? A Yes sir.
- Q He is living there now? A Yes, my father is.
- Q Has he always lived there? A My father? A I think-----well he stayed two years in Texas. He come to Texas when I did in '93.
- Q Then went back? A Went back in '93, yes sir, and he has remained there since.
- Q Is Montgrilliar Swindle your sister? A Yes sir.

(4).

- Q Is Frances Dunn your Sister? A Yes sir.
- Q Gabriel Clements your brother? A Yes sir.
- Q They made application for identification to-day, October 29, claiming through the same ancestor that you claim through, Brenard Clements? A Yes sir.
- Q Do you want to have their testimony considered with yours when yours is considered by the Commission? A Well, I reckon so, yes sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I couldn't say whether they did or not.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation, Indian Territory, between 1833 and 1838, or 1840? A No sir, not that I know of.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent, Colonel Ward that they intended to stay in Mississippi and take land there? A Not that I know of, no sir.
- Q Did any of your Choctaw ancestors if Choctaw Indians claim or own any land in Mississippi or Alabama from the Government of the United States under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know sir whether they did or not.
- Q Did they claim any benefits or any land under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know sir.
- Q The Choctaw Indians who remained back in the old Choctaw Nation in Mississippi and Alabama in 1830 and 1831 were required to go to the United States Indian Agent within six months from the ratification of the treaty of 1830, that is, within six months from the ratification of the treaty of 1830 which was on the 24th day of February, 1831, and tell him that they wanted to stay in Mississippi and take land there. If they did this they might afterwards go to the Choctaw Nation in the Indian Territory and have the rights of citizenship there. The United States Indian Agent was required to take the names down of all of those Indians who did that, put them on his list and made a complete list of all those who did so. His list known as Ward's register contains the names of only a few of all the Indians who did that. Ward's failure to make a complete list of all the Indians who came before him within the time limited in Article XIV of that Treaty, caused many Indians who had land in Mississippi upon which they had improvements to lose both, because they were taken from them by the Government. This caused so many complaints among the Choctaw Indians that in 1837 by an Act of Congress approved March 3. of that year, a Commission was appointed which Commission went to the State of Mississippi and heard all claimants under Article XIV that came before it and made lists of the names of successful claimants. In 1842 Congress appointed another Commission, a second Commission and this Commission went to the State of Mississippi and heard claimants under article XIV of the Treaty of Dancing Rabbit Creek and made lists of the names of successful claimants. Did any of your Choctaw ancestors appear before either of those two Commissions and claim benefits under Article XIV? A Not that I know of.
- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian claimant came before that latter Commission of 1842 and proved his claim under Article XIV of that treaty, that if it also further appeared that his land had been previously

(5).

taken from him by the Government, he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates at that time were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government of the United States under the Act of Congress of 1842? A Not that I know of.

Q Have you any documentary evidence that you would like to present now in support of your application? A Yes sir, witnesses here.

Q You mean you have witnesses? A Yes sir.

Q Have you any documentary evidence you would like to present? A Yes sir.

Q Where is it? A Well, it will be here directly.

Q Reasonable time will be given you? Do you understand or speak the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. He has dark brown eyes and dark hair. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 21 day of December, 1901.

Hal Belford
[Signature]

Commissioner.

Muskogee, Indian Territory, December 11, 1901.

Gabriel Clements,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of five copies of the marriage license and certificate of Mahan Clements and Mary H. Lumford of the 21st day of December, 1889 together with affidavits attached thereto as to the proper spelling of the name of Manning Clements offered by you for filing in support of the applications of the children of Manning Clements for identification as Mississippi Choctaws.

You are informed that the same have this day been filed and made a part of the record in the following cases of applicants for identification as Mississippi Choctaws:

Montgrillier Swindle, et al.
Frances Dunn, et al.
Gabriel Clements, et al.
Rufus Clements, et al.
Manning L. Clements, et al.

Yours truly,

Commissioner in Charge.

M C R 2863
M C R 3866
M C R 2867

COPY.

M O R 3858

Muskogee, Indian Territory, October 14, 1903.

Rufus Clements,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of October, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Gabriel Clements, et al., embracing the following applications for identification as Mississippi Choctaws:

Gabriel Clements, et al.,	M O R 3867
Montgrilliar M. Swindle, et al.,	M O R 3868
Manning L. Clements, et al.,	M O R 4813
Frances Dunn, et al.,	M O R 3886
Rufus Clements,	M O R 3868

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Ca-

brief Clements, Lottie Ruth Clements, Gertrude Clements, Roy Columbus Clements, Brazie Clements, Montgrilliar M. Swindle, John S. Swindle, Benjamin U. Swindle, Bessie M. Swindle, May A. Swindle, Leonard C. Swindle, Isadorah Swindle, Mattie M. Swindle, Earl Kingston Swindle, Homer Swindle, Manning L. Clements, Pearl M. Clements, Manning L. Clements, Jr., Frances Dunn, Bertie Lee Dunn, Ellie Grant Dunn, Effie Dunn, Joe Dunn and Rufus Clements, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

T. D. Macdonald

Commissioner in Charge.

Registered.

M.C.R. 3868.

COPY.

Muskogee, Indian Territory, January 20, 1903.

Rufus Clements,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that on January 19, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gabriel Clements, et al., of which decision you were advised by registered mail on the 14th day of October, 1902.

Respectfully,

Tams Bixby.
Acting Chairman.

No. 3868

For Identification as a Mississippi Choctaw.

Date

OCT 29 1901

Name

Refus Clements,

Age

26

Blood

1/8

Post Office,

Atoka, I. T.

Father:

Manning Clements, I

Mother:

Angeline .. d

Claims through

father

~~Children:~~

Claims for self
alone

Choctaw MCR 3869

Mary L. Crook

See MCR 3878

MCR 3869

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3869.

In the matter of the application of Mary L. Crook for the identification of herself and her minor child, Mary Crook, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Mary L. Crook, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Mary L. Crook.
Q Mary L.? A Yes sir.
Q C-r-o-o-k? A k.
Q What is your age? A Sixty years to-day. This is my birthday.
Q What is your post office address? A Paris.
Q Texas? A Yes sir.
Q Do you have a street number? A No sir, I don't live in the town. I live out in the Country.
Q How long have you lived at or near Paris? A All my life. I was born in that County.
Q What county is that? A Lamar.
Q What is your father's name? A William Yates.
Q What? A Yates.
Q Is he living? A No sir.
Q What is your mother's name? A Minerva.
Q M-i-n-e-r-v-a? A Yes sir.
Q Is she living? A No sir.
Q Through which parent do you claim your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim through her? A I don't know.
Q When and where were your father and mother married? A They were married in 1838, in Lamar County. It wasn't Lamar County though at that time; it was part of Red River County.
Q In Texas? A Yes sir.
Q Do you remember the day of the month? A It was January 28.
Q Have you proof of their marriage with you? A No sir.
Q You think you can get it? A Yes sir.
Q They was married by a minister was they? A Yes sir.
Q Under a license? A Yes sir.

(2).

- Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw tribal authorities or the United States authorities? A No sir.
- Q Are you married? A Sir.
- Q Are you married? A Yes sir, of course.
- Q What is his name? A My first husband? I have been married twice.
- Q Have you any children that you want to make application for now under twenty-one years of age and unmarried? A I have one.
- Q Well, is that child, the name of your child, by your first husband or second husband? A Second husband.
- Q Your first husband's name was what? A Robert Jennings.
- Q Robert James? A Robert Jennings.
- Q He is not living now? A No sir.
- Q What was his nationality? That is, did he have any Choctaw blood or not? A No sir.
- Q He was just a white man? A Yes sir.
- Q Your children by your first husband claim their Choctaw blood through you and not through your first husband their father? A Yes sir, none through the father. The father is a native of Tennessee.
- Q What is the name of your present husband, second husband? A Jere S. Crook.
- Q Jerry? A Yes sir, J-e-r-e, is the way he spells his name.
- Q Is he living? A Yes sir.
- Q And his nationality is what? A He's a-----
- Q Whiteman? A Yes sir, a native of Tennessee too.
- Q Now, have you any children under twenty-one years of age and unmarried for whom you desire to make application? A One.
- Q What is that child's name? A Mary, no double name. Mary Crook.
- Q How old is she? A Twenty.
- Q What's all is it? A Yes sir, that's the only child I have that's under age. I have one unmarried son, but he's over age, twenty-two.
- Q And your husband, Jere S. Crook is the father of this child? A Yes sir.
- Q When and where were you married to him? A In Lamar County.
- Q Texas? A Yes sir, in 1865-----October 17th, 1865.
- Q You claim for yourself and this child do you? A Yes sir.
- Q Is your name or the name of this child, this daughter, on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and this daughter to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for citizenship in the Choctaw nation for yourself and this daughter to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q That is five years ago? A No sir.
- Q Have you and this daughter ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Did you ever before this time make application for yourself and this daughter, for citizenship in the Choctaw Nation to either the Choctaw Tribal Authorities or the United States Authorities? A No sir.
- Q Do you now come before the Commission for the purpose of identifying yourself and this child as Mississippi Choctaws claiming an

(3).

- interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir, I think I do.
- Q You have had it read and explained to you, have you? A Yes sir.
- Q So that you think you understand it thoroughly? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this Treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be over ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw Annuity."

- Q You think you understand that do you? A yes sir.
- Q How do you know whether any of your Choctaw ancestors complied with or attempted to comply with any of those provisions of that article of that treaty? Do you know whether they did any of those things? A Well, I don't know.
- Q What is the name of your Choctaw ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What? A Rachael Shelton.
- Q R-a-c-h-e-l? A a-e-l.
- Q R-a-c-h-a-e-l? A Yes sir, that's the way it's written in our family Bibles.
- Q How do you spell that Shelton? A S-h-e-l-t-o-n.
- Q What relation was she to you? A My grandmother.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did she live in Mississippi or Alabama? A In Mississippi we think.
- Q Did she live there in 1830? A I don't know.
- Q You claim through your mother do you not? A Yes sir.
- Q How old would she be if she were living now? A My grandmother.
- Q Is your mother? A My mother would be eighty-four if she were living now.
- Q Where was she born? A Well, we have no record. My mother having been dead so long we don't know where she was born, but we have

(4).

- been taught that she was born in Kentucky.
- Q In Kentucky? A Yes sir.
- Q Did she ever live in Mississippi? A I do not know.
- Q She was born in Kentucky you think. Do you know where she died or when? A yes sir, she died in the Pah Handle, west Texas.
- Q In Texas? A yes sir, in Collingsworth County, in '94 I believe.
- Q '94? A Probably '96. I don't know exactly the date she died but she's been dead somewhere along there.
- Q And this was her mother, Rachael Shelton, was it? A yes sir. Her own mother.
- Q And you think she lived in Mississippi at one time. Do you know through whom she claims her Choctaw blood, whether through father or mother? A Father.
- Q What was his name? A We have no record. Don't know.
- Q You don't know how much Choctaw blood she had? A No sir.
- Q You haven't heard, you have no record then of it in the family? A No sir.
- Q Did you ever hear in the family, did you ever hear it rumored or estimated how much she had? A Yes sir, it's been talked of in the family all our lives, I suppose.
- Q As to the quantity of blood? A It is supposed that she was a half-breed.
- Q That has been a general report? A Yes sir, I think so.
- Q Family history and tradition? A Yes sir, I think so.
- Q Did she have an Indian name? Choctaw Indian name? A Well, I don't know.
- Q Did she speak the Choctaw language? A No sir.
- Q Did she or any of your Choctaw ancestors to your knowledge own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did she or any of your Choctaw ancestors to your knowledge go to the United States Indian Agent, Colonel Ward, within six months after the ratification of the treaty of 1830, that is within six months after February 24, 1831, and tell him, that agent, that they wished to stay in Mississippi and take land there in the old Choctaw Nation? A I don't know. There is such a record.
- Q Have you heard anything to that effect, Mrs. Crook, that any of your ancestors did that? Went to the United States Indian Agent and told him that they wanted to stay in Mississippi? A No sir we never have been told about it.
- Q You don't know from anything you have heard about it in the family? A No sir, I don't know anything positively.
- Q Did I understand you to say a moment ago, to say that you heard that Rachael Shelton received scrip from the Government as a Choctaw Indian? A Yes sir.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation, Indian Territory with the other Indians between 1833 and 1840? Did any of them go from that old Nation to the new? A No sir, I think not.
- Q Did any of your Choctaw ancestors claim or receive any land from the United States Government under Article XIV of the Treaty of Dancing Rabbit Creek to your knowledge? A Not that I know of.
- Q Did any of your Choctaw ancestors receive any benefits of any kind under any other article of the treaty of 1830 than article XIV or under the supplement of the Treaty? A I don't know of any.
- Q Do you understand what the supplement of a treaty is? A Well, I don't know that I understand it correctly.

(5).

- Q you know what a treaty is, do you not? A Yes sir, I think I do.
- Q It is an agreement in writing between Nations instead of between individuals and is signed by the representatives of the different Nations who are acting in behalf of that nation. The treaty is often composed of articles numbering from one up to as many articles as there are in the treaty. Sometimes it is necessary to add something to that treaty after the treaty has been signed and that is called a supplement? A Yes sir.
- Q It is simply a supplementary part of the treaty. In this treaty that is called "Supplementary articles to the preceding Treaty" and that is signed also by the same representatives of the Nations who make the Treaty. A Yes.
- Q Now I ask you that question, if you know of any of your Choctaw ancestors who claimed under the supplement of the Treaty of 1830? You don't know whether they did or not? A No sir, I do not.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, that is this treaty of 1830, the United States Indian Agent who lived in Mississippi at that time, was required by the United States Government to make a complete list of all of the names of the Choctaw Indians who came before him within six months from the ratification of this treaty, that is, within six months from February 24, 1831, and declared their intention of remaining in Mississippi, taking land there, and becoming citizens of the United States. This United States Indian Agent, Colonel Ward, neglected to make a complete list of all who came before him as required by the Government. His list known as Ward's Register contains the names of less than one hundred heads of families when probably hundreds if not thousands appeared before him. This negligence of his caused great distress among the Choctaw Indians of Mississippi and Alabama, and caused many Indians who held land in the old Choctaw Nation to lose both land and improvements. They were taken from them and sold by the Government. So many complaints were made among the Indians on account of this that in 1837, by an act of Congress approved March 3 of that year, Congress appointed a Commission; this Commission went to the state of Mississippi and heard claimants under Article XIV of the Treaty of 1830 and made lists of the names of successful claimants. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to Mississippi and heard claimants under Article XIV of that treaty. Do you know if any of your Choctaw ancestors went before either the Commission of 1837 or the Commission of 1842 and claimed benefits and privileges under Article XIV of the Treaty of Dancing Rabbit Creek? A No sir, I do not.
- Q These are the Commissions which adjudicated claims of claimants whom Ward left off from his list. You said a little while ago that you understood that scrip was issued to this ancestor of yours, Rachael Shelton? A Yes sir.
- Q Well that scrip was issued, if issued at all, under Article XIV, by the Commission of 1842. By the Act of Congress approved August 23, 1842, it was provided that if a Choctaw Indian came before that Commission of 1842 and proved his claim, if it had been shown that his land had been taken from him by the Government previously that he should be entitled to receive or select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. Now these certificates were called scrip. Scrip means, or meant under that Act of Congress a certificate

(6).

entitling the holder to select land in one of these four states.
A Yes sir, I understand.

- Q Now do I understand you to say that you understood that this ancestor of yours received such scrip? A Yes sir.
Q Have you any documentary evidence of that fact? A No sir, none.
Q You think you can produce it if given time? A No sir.
Q Have you any documentary evidence now that you want to present to the Commission now in support of this application? A No sir.

Here Attorney John London asked leave to file written evidence in support of this application in the near future.

Reasonable time is allowed this applicant on suggestion of John London, Attorney for applicant, for the purpose of introducing documentary or other proper evidence in support of this application which she makes for herself and her minor child. Also to introduce testimony of the marriage of her father and mother.

- Q Do you understand or speak the Choctaw language? A No sir.
Q Is there anything more you want to say in support of this claim? A No sir, I think not.
Q Do you know positively whether your ancestor was a half-breed or not? A No sir, I do not; not positively.

This applicant has the appearance and physical characteristics of being descended from white parentage. Has medium fair complexion, brown eyes. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 31 day of December, 1901.

Hal Belford
[Signature]

Commissioner.

COPY:

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3868

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Mary L. Crook,

Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W. Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Walter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justies, Nannie Lee Justies, Thomas Shelby Justies, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberts L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Bartrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Today Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamo Bixby.

Acting Chairman.

Registered.

MCR 3869

COPY!

Muskogee, Indian Territory, November 20, 1905.

Mary L. Crook,
Paris, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your child, Mary Crook, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Beall*
Acting Commissioner.

No. 3869

For Identification as a Mississippi Choctaw.

Date OCT 29 1901

Name Mary L. Crook.

Age 60 - Blood Don't know.

Post Office, Paris, Texas.

Father: William Yates, d.

Mother: Minerva " d.

Claims through mother
Husband.

1. Robert James, Jennings, Tex.
2. Terrell S. Crook, l. (w.)

Children:

Mary Crook. 20.

Claims for self &
child —

Stenographer Ned Belford

Choctaw MCR 3870

Lillian Bedford

See MCR 3878

MCR 3870

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

3870
#3802.

In the matter of the application of Lillian Bedford
for the identification of herself and her two minor children, Ruth E.
and Mabel J. Bedford, as Mississippi Choctaws.

Applicant represented by John Lenden, Attorney.

Lillian Bedford, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Mrs. Lillian Bedford.
Q What is it? A Lillian Bedford.
Q Lillian? A Yes sir.
Q Two l's? A Yes sir.
Q Lillian, how do you spell that? A B-e-d-f-o-r-d.
Q What is your age? A Forty-one.
Q What is your post office address? A Paris, Lamar County, Texas.
Q How long have you lived at Paris? A All my life.
Q Born there or near there? A Born near there.
Q What is your father's name? A Robert Jennings.
Q Robert Jennings? A Yes sir, Robert I. Jennings.
Q Robert I.? A Yes sir.
Q Is he dead? A He is.
Q What is your mother's name? A Well, her name at present is Mary
Creek.
Q Mary, initial? A Mary E. Creek.
Q She has just appeared here has she not for identification as a
Mississippi Choctaw on the above date, October 29? A Yes.
Q You claim your Choctaw blood through your mother do you not?
A Yes.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by the Choctaw Tribal
Authorities or by the United States Authorities? A No.
Q When and where were your father and mother married? A In Lamar
County, in '89.
Q What day of the month? A Fifteenth of December.
Q Have you the evidence of their marriage with you now? A I have
not. Could produce it however.

(2).

- Q You will be given reasonable time in which to present it. Is your husband living now? A Yes sir.
- Q What is your husband's name? A G. W. Bedford.
- Q What? A G. W. Bedford. Dr. G. W. Bedford. I don't know whether you want his title or not.
- Q Do you make any claim for him? A No sir.
- Q What is his nationality? A English.
- Q Have you any children under twenty-one years of age and unmarried that you want to make application for? A Two children.
- Q What is the name of the oldest? A Ruth. Ruth E. Bedford.
- Q Ruth M.? A N.
- Q How old is she? A Twenty.
- Q What is the name of the other child? A Mabel J. Bedford.
- Q M-a-b-e-l-l-e? A b-e-l.
- Q E.? A J.
- Q How old? A Sixteen.
- Q That is all is it? A Yes.
- Q You claim for yourself and these two children do you? A Yes.
- Q When and where were you married to your husband? A In Lamar County, Texas, January 2, 1879.
- Q By a minister under a license? A Yes sir.
- Q Is your name or the name of these children on any of the Choctaw Tribal Rolls in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship or enrollment as Choctaw Indians for yourself and children to the Choctaw Tribal Authorities in the Indian Territory? A No.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Dawes Commission under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been enrolled, you and your children, as members of the Choctaw Tribe of Indians either by the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No.
- Q Did you ever before this time make application for citizenship in the Choctaw Nation for yourself and your children, either to the Choctaw tribal authorities or to the United States authorities? A No.
- Q Do you now come before the Commission for the purpose of identifying yourself and your children as Mississippi Choctaws claiming an interest in the Choctaw lands in the Indian territory under Article XIV of the Treaty of 1830? A I do.
- Q You understand that article of that treaty? A I think I do.
- Q You have heard it read and explained have you? A I have.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter

(3).

section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

- Q Now as you understand this article after having had it read and explained to you, do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of this article? A I do not.
- Q What is the name of your ancestor through whom you claim your right to be identified now as a Mississippi Choctaw? A My mother.
- Q Yes, the ancestor, I mean? A Oh! my great-grandmother.
- Q What? A My great-grandmother.
- Q What was her name? A Rachael Shelton.
- Q How much Choctaw blood did your great-grandmother have? A I don't know.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q You claim through your mother? A Yes.
- Q How old is your mother now? A Sixty.
- Q Where was she born? A She told you awhile ago. I don't know. In Lamar County, I suppose.
- Q She claimed through which parent, father or mother? A Her mother.
- Q What was her mother's name? A Minerva Yates.
- Q Where was she born? A I don't know.
- Q Where did she die, do you know? A No.
- Q Did she ever live in Mississippi? A I don't know.
- Q Or Alabama? A I don't know.
- Q Did she claim through Rachael Shelton? A Yes.
- Q Your great-grandmother? A Yes.
- Q Did your great-grandmother have an Indian name? A I don't know.
- Q Did Minerva Yates have an Indian name? A I don't know.
- Q Did they either of them speak the Choctaw language? A I don't know that either.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months from the ratification of the Treaty of 1830, go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw nation Indian Territory with the other Indians between 1833 and 1838? A I don't know.
- Q Did they ever claim or receive any land in Mississippi or Alabama as Choctaw Indians under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q Did they ever receive any benefits of any kind under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of Dan-

(4).

cing Rabbit Creek, the United States Indian Agent, Colonel Ward, who was then living in Mississippi, was required by the Government to make a list of the names of all Choctaw Indians who came before him within six months from the ratification of that treaty of 1830 and told him that they wanted to stay in Mississippi and take land there and become citizens of the United States. This United States Indian Agent made a list, called "Ward's Register", which contains the names of less than one hundred Indians, heads of families when probably many hundreds if not thousands of Indians appeared before him within the time limited in Article XIV, and made declaration as required in Article XIV of the Treaty of 1830, but their names appeared upon no list or lists made by Colonel Ward. This neglect on the part of the Agent caused many Indians who had land in Mississippi to lose it. It was taken from them by the Government, and sold, together with improvements upon it. This act on the part of the Government caused many complaints among the Indians, and as a result of those complaints in 1837 a Commission was appointed by Congress, by an Act approved March 3, of that year, and this Commission went to the State of Mississippi and heard claimants under Article XIV and made lists of the names of successful claimants. In 1842 Congress appointed another Commission for the same purpose and this Commission went to Mississippi and heard all claimants under Article XIV that came before it. Do you know whether any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV? A I don't know.

- Q According to the provisions of the act of Congress approved August 23, 1842, it was provided in that act that if any claimant came before the Commission of 1842 and proved his claim as a Choctaw Indian under Article XIV, and if it appeared that his land had been previously taken from him by the Government, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be issued to him. These certificates were called scrip. Did any of your ancestors receive any such scrip from the United States Government as Choctaw Indians? A I don't know.
- Q Did you ever hear anything about scrip being given to Rachael Shelton as a Choctaw Indian? A I have heard so.
- Q Do you think if given time you would be able to prove that fact? A Yes sir.
- Q Do you want time? A Yes, we want time.
- Q You have no documentary evidence have you now to present.

Here John London, attorney for the applicant asked leave to file written evidence in support of this claim in the near future.

Reasonable time will be allowed this applicant in which to present testimony or evidence proving this application which she makes for identification for herself and children as Mississippi Choctaws. Also prove that the ancestor through whom she claims received scrip from the Government of the United States as a Choctaw Indian under the provisions of the Act of Congress approved August 23, 1842.

(5).

- Q Do you speak or understand the Choctaw language? A No. I can understand some of it, but I can't speak it at all.
- Q Is there anything more you would like to say? A No, nothing further.

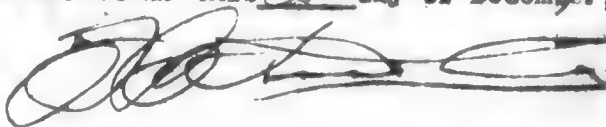
The Applicant Mary L. Crook, who appeared for identification as a Mississippi Choctaw on the above date, October 29, claims through the same common ancestor as this applicant, and the testimony and records in her case are to be considered in connection with the above.

This applicant has the appearance and physical characteristics of being descended from white parentage. Blue gray eyes, medium dark complexion, brown hair. She has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Hal Belford

Subscribed and sworn to before me this 21 day of December, 1901.



Commissioner.

COPY

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. C. R. 3870

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Lillian Bedford,

Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jeunie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats , 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justies, Nannie Lee Justies, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsey, Georgia Berry Lindsey, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rona Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

Tame Bixby.

Acting Chairman.

Registered.

FOR 3870

COPY.

Muskogee, Indian Territory, November 20, 1905.

Lillian Bedford,
Paris, Texas

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your two minor children, Ruth N. and Mabel J. Bedford, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Beall*
Acting Commissioner.

For Identification as a Mississippi Choctaw.

Date

OCT 29 1901

Name Lillian Bedford.

Age 41 - Blood Int. known.

Post Office, Paris, Texas -

Father: Robert I. Jennings, d

Mother: Mary L. Crook, d

Claims through Mother

Husband.

E. W. Bedford M.D. W.

No claim for husband

Children:

N.

Ruth ~~W.~~ Bedford, 20

Mabel J. " 16

Claims for self & children -

Encephalograph: E. W. Bedford

Choctaw MCR 3871

Roberta I. Coleman

See MCR 3878

MCR 3871

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3871.

In the matter of the application of Roberta I. Coleman for the identification of herself and her eight minor children, Mamie E., Smith B., Lillian E., George E., Roberta I., Laura, Jack J., and Mildred M. Coleman, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Roberta I. Coleman, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Roberta I. Coleman.
Q C-o-l-e-m-a-n? A Yes sir.
Q What is your age? A Thirty-nine.
Q What is your post office address? A High, Texas.
Q What is that? A High. We live near Paris.
Q How long have you lived at High? A I was born and raised near there.
Q In what County is that? A Lamar County.
Q Always lived near there? A Yes sir.
Q What is your father's name? A Robert I. Jennings.
Q He is dead is he? A Yes sir.
Q What is your mother's name? A Mary F. Creek.
Q She has appeared before the Commission to-day, hasn't she? A Yes sir.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw tribal authorities or the United States authorities in the Territory?
A I don't know.
Q When and where were your father and mother married? A In Lamar County.
Q Texas? A Yes sir.
Q Do you know the day of the month and year? A They were married December 15, in '89.
Q Have you the proof of their marriage with you? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A George E. Coleman.
Q What is that? A George E. Coleman.
Q George E.? A Yes sir.

(2).

- Q What is his nationality? A American.
- Q Is he a whiteman? A Yes sir, he's a white man.
- Q Do you make any claim for him? A No sir.
- Q Have you any children under twenty-one years of age and unmarried that you want to make application for? A Yes sir.
- Q How many children have you? A Eight.
- Q What? A Eight.
- Q What is the name of the eldest? A Mamie E.
- Q Mamie? A Yes sir.
- Q Mamie what? A Mamie E. Coleman.
- Q How old is she? A She's nineteen.
- Q The next? A Smith E.
- Q Smith E.? A Yes sir.
- Q How old is he? A Seventeen.
- Q Next? A Lillian.
- Q What? A Lillian. Lillian E.
- Q How do you spell that Lillian? A L-i-l-l-i-a-n.
- Q Middle initial? A R.
- Q She is how old? A Thirteen.
- Q The next? A George Robert.
- Q How old? A Eleven.
- Q Next? A Roberta I.
- Q A.? A I.
- Q Roberta I., is it? A Yes sir.
- Q How old? A Eight years.
- Q Next? A Laura.
- Q L-a-u-r-a? A Laura, five.
- Q Next? A Jack J.
- Q Jack? A Jack J. Coleman, three. Age three.
- Q Next? A Mildred M., age one.
- Q That is all? A Yes sir, that's all.
- Q You claim for yourself and these children do you? A Yes sir.
- Q Is George T. Coleman the father of these children? A Yes sir.
- Q When and where were you married to him? A In Lamar County, Texas? A Yes sir.
- Q What date? A January 26, 1891.
- Q Were you married by a minister under a license? A Yes sir.
- Q Was he ever married previous to his marriage to you? A No sir.
- Q Or you before you married him? A No sir.
- Q Is your name or the names of these children on any of the tribal rolls of the Cheetaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Cheetaw Nation to the Cheetaw tribal authorities for either yourself or children? A No sir.
- Q Did you ever make application for citizenship in the Cheetaw Nation to the Commission to the five civilized Tribes under the Act of Congress of June 10, 1896, for yourself and children? A No sir.
- Q Were you ever enrolled with your children as members of the Cheetaw Tribe of Indians, either by the Cheetaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Did you ever before this time make application for citizenship or enrollment in the Cheetaw Nation for yourself and children, either to the Cheetaw tribal authorities or the United States authorities? A No sir.
- Q Do you now come before the Commission for the purpose of identifying yourself and for the identification of these children as Mississippi Cheetaws under Article XIV of the Treaty of Dancing

(3).

Rabbit Creek? A Yes sir.

Q Do you understand that article of that treaty? A I think I do. I couldn't explain it but I think I understand it.

Q You think you understand it so as to claim under it? A Yes sir.

Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Now as you have heard this read, and as you understand it from explanations that you have heard, do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A I have heard they did.

Q Now who have you heard of your ancestors complied with it? A My great-grandmother.

Q What was her name? A Rachael Shelton.

Q Was she your great-grandmother? A Yes sir.

Q How much Choctaw blood did she have? A I don't know.

Q Did she ever live in Mississippi or Alabama do you know? A I don't know.

Q You claim through your mother, do you not? A Yes sir.

Q Was your mother born in Mississippi or Alabama? A She was born in Texas.

Q She claimed through which parent, her father or mother? A Her mother.

Q What was her mother's name? A Minerva Yates.

Q Was she born in Mississippi or Alabama? A I don't know.

Q You don't know where she was born? A No sir, some say she was born in Kentucky. I don't know.

Q Do you know where she died or when? A She died in West Texas, in Collingsworth County, Wellington, Texas.

Q Do you know whether she was ever in Mississippi or Alabama, ever lived there? A No sir, I do not.

Q She claimed through which parent, father or mother? A I don't know.

Q Now what was her mother's name? A My mother's name? Yates.

(4).

- Q No, this grandmother? A My grandmother was Yates, my great-grandmother was Shelton. My grandmother claimed through her mother, Shelton.
- Q Rachael Shelton? A Yes sir.
- Q Now going back from your mother back to Rachael Shelton in that direct line, do you know of any of your ancestors who lived in Mississippi or Alabama in 1830? A No sir.
- Q Did you ever hear that any of them lived there? A I don't remember.
- Q Do you know whether any of your Choctaw ancestors owned any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know.
- Q Did any of your Mississippi Choctaw ancestors go from either Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent that they intended to stay in Mississippi and take land there and become citizens of the United States, do you know? A I do not.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q Did they claim or own any land or any improvements under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know sir.
- Q The United States Indian Agent who lived in Mississippi in 1830 was required after that treaty was ratified, to make a list of the names of all Choctaw Indians who came before him within six months from its ratification and declared their intention of remaining in Mississippi and taking land there. He made a list known as Ward's Register, but it contains the names of only a fractional part of the whole number of Indians who made declarations as required under Article XIV of the Treaty of Dancing Rabbit Creek. His failure to make a complete record of the names of all of the Choctaw Indians who came before him under Article XIV caused many to lose the land which they had selected in the old Choctaw Nation and upon which they had improvements. This caused so many complaints on the part of the Choctaw Indians in that old Choctaw Nation, that Congress in 1837 appointed a Commission which went to the State of Mississippi and heard all claimants that desired to come before it claiming benefits under Article XIV of that treaty. In 1842 another Commission was appointed by Congress for the same purpose and they heard all claimants under Article XIV of the Treaty of 1830, who desired to come before them. Did any of your Choctaw ancestors go before either of these Commissions claiming benefits under that article of that Treaty? A I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim under Article XIV, if it was also shown that he had had his land taken from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government of the United States as Choctaw Indians? A I have heard they did.

(5).

- Q You think so? A I have heard so
Q Do you think you can prove that if given time? A I don't know. I think so.
Q Have you any documentary evidence with you now that you would like to present in support of this claim? A No sir.

Here John London, Attorney for the applicant, asked leave to file written evidence in support of this claim within the near future.

Reasonable time will be allowed on motion of Counsel, in which to file documentary or present other evidence in support of this application she makes for herself and these children. Also proof of the marriage of her father and mother if she desired.

- Q Do you understand or speak the Choctaw language? A No sir.
Q Is there anything more you want to say about this claim? A No sir.
Q Are you related to Mary L. Crook? A She is my mother.
Q What? A She is my mother.
Q And Lillian Bedford? Sister? A Sister.
Q Do you want to have their testimony taken in connection with yours when yours is considered in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. Light complexion, light hair, blue eyes. She does not understand the Choctaw language and has no knowledge of any compliance on the part of her ancestors with any of the provisions of the treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Clarence M. Hall
Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.F. 3871

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

Roberta I. Coleman,
High, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3829
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3831
Sallie Homer Morgan, et al.,	M C R 3832
Sallie Stanley, et al.,	M C R 3848
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W Cross,	M C R 3855
Joel A. Shannon, et al.	M C R 3856
Laura J. Duncan, et al.	M C R 3849
Rosie E. Stanley, et al.,	M C R 3850
Minnie A. Adshire, et al.,	M C R 3851
Nannie F. Akers, et al.,	M C R 3852
Alice Akers, et al.,	M C R 3853
Bessie Milford, et al.,	M C R 3854
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Walter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justies, Nannie Lee Justies, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Fannie Dixby.

Acting Chairman.

Registered.

COPY.

MCR 3871

Muskogee, Indian Territory, November 20, 1905.

Roberta I. Coleman,
High, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your eight minor children, Mamie E., Smith B., Lillian R., George R., Roberta I., Laura, Jack J. and Mildred M. Coleman, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

signed

W. O. Beall

Acting Commissioner.

No. 3871

For Identification as a Mississippi Choctaw.

Date OCT 29 1901

Name Roberta J. Coleman,

Age 39 Blood Don't know

Post Office, High, Texas,

Father: Robert J. Jennings, d

Mother: Mary L. Brock, l

Claims through mother
Husband George T. Coleman, w.

No claim for husband

Children:

Mamie E. Coleman, 19

Smith B " 17

Lillian R. " 15

George R. " 11

Roberta J. " (sue) 8

Laura " 5

Sack J " 3

Mildred M. " 1

Claims for self & children

Signature

Choctaw MCR 3872

Jessie C. Smith

See MCR 3878

MCR 3872

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 28, 1901.

#3872.

In the matter of the application of Jessie Creek Smith for the identification of herself and her two minor children, Hugh H. and Mary R. Smith, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Jessie Creek Smith, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Jessie Creek Smith.
Q What is your age? A Thirty-four.
Q What is your post office address? A Paris, Texas.
Q Have you lived there most of your life? A Yes sir, all my life.
Q Born there? A Yes sir, born in Lamar County.
Q What is your father's name? A Jere S. Creek.
Q Is he living? A Yes sir.
Q What is your mother's name? A Mary L. Creek.
Q She has been before the Commission to-day, I believe, for identification? A Yes sir.
Q You claim through your mother? A Yes sir.
Q How much do you claim? A Well, I don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q Do you know when and where your father and mother were married? A They were married in Lamar County, October 17, 1866.
Q By a minister? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Edwin T. Smith.
Q White man? A Yes sir.
Q You don't claim for him? A No sir.
Q How many children have you? A Two.
Q What is the name of the oldest? A Hugh Earl Smith.
Q How old is he? A Fourteen.
Q The next? A Mary Ruth Smith.
Q Mary R.? A We always call her Ruth. I expect I ought to call her Ruth probably. Twelve.

(2).

- Q Is Edwin T. Smith the father of these two children? A Yes sir.
Q Was he ever married before you married him? A No sir.
Q And you, were you ever married before you married him? A No sir.
Q you claim for yourself and these children? A Yes sir.
Q Is your name or the name of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Choctaw Tribal Authorities? A No sir.
Q Did you ever make application for citizenship for yourself and children to the Dawes Commission under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation either you or your children, by either the Choctaw Tribal authorities, the Commission to the five civilized Tribes, or the United States Court in Indian Territory? A No sir.
Q Have you ever made application before this time for citizenship in the Choctaw Nation, for you or your children either to the Choctaw Tribal Authorities or the United States Authorities? A No sir.
Q Do you now come before the Commission to identify yourself and children as Mississippi Choctaws under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A I have heard it read and explained by you. I think I understand it.
Q Do you waive any further explanation? A yes sir.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained do you know whether any of your ancestors complied or attempted to comply with its provisions? A I do not know.
Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Rachael Shelton.
Q What relation is she to you? A Great-grandmother.

(3).

- Q How much Choctaw blood did she have? A I don't know.
- Q Did she speak Choctaw? A No sir, I think not.
- Q Did she have an Indian name? A I do not know.
- Q Did she live in Mississippi or Alabama? A I don't know that either.
- Q Do you know where she was born? A No sir.
- Q Or where she died? A No sir.
- Q Or when? A No sir.
- Q You claim through your mother? A Yes sir, she died in Texas.
- Q She died in Texas. Do you know what year? A No sir, I do not.
- Q You claim through your mother? A Yes sir.
- Q She is how old now? A My mother is sixty years old.
- Q And she was born where? A In Lamar County.
- Q Texas? A In '41, 1841.
- Q She claims through which parent, father or mother? A Mother.
- Q What was her name? A Minerva Yates.
- Q Did she ever live in Mississippi or Alabama? A No sir.
- Q Do you know where she died? A No sir.
- Q Do you know what year? A In 1896 I believe.
- Q Do you know how old she was when she died? A Eighty-four years old I believe.
- Q You don't know whether she was born in Mississippi or Alabama?
- A No sir, I do not know.
- Q You don't know of any of your ancestors who were born in Mississippi or Alabama, or lived here? A No sir, I do not.
- Q Don't know whether any of your Choctaw ancestors were heads of families in Mississippi or Alabama in 1830? A No sir, I do not.
- Q Did any of them own any improvements on land in Mississippi or Alabama in 1830? A I don't know that.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian Territory between 1833 and 1838? A I don't know.
- Q Did any of them go to the United States Indian Agent within six months after the ratification of the Treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors claim or receive any land from the Government as Choctaw Indians under Article XIV of the Treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors claim any land or receive any benefits under any other article of the treaty of 1830 than article XIV or under the supplement of that treaty? A I don't know.
- Q The United States Indian Agent who lived in Mississippi in 1830 was required by the Government to make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the Treaty of 1830 and declared their intention of remaining in Mississippi and taking land there and becoming citizens of the United States. Colonel Ward, who was the United States Indian Agent at that time, made a list of the names of but very few of the Choctaw Indians who did actually make that application to him within the time limited in Article XIV and pursuant to its conditions. He left off from his list the names of a very large proportion of the Indians who came before him under Article XIV. This neglect to make a complete list of all claimants of the Indians who stayed back there in Mississippi caused many Indians who held land in the states of Mississippi and Alabama, and in the old Choctaw Nation, to lose their land and it was taken by the Government and sold at its public land sales. This caused

(4).

so many complaints among the Indians that in 1837 Congress appointed a Commission. This Commission went to Mississippi and heard claimants under Article XIV and made lists of the names of successful claimants. In 1842 by Act of Congress another Commission was appointed for the same purpose and they heard claimants under Article XIV of the treaty of 1830. Do you know if any of your Choctaw ancestors appeared before either of those two Commissions and claimed benefits under Article XIV of the Treaty of 1830? A. I think so.

Q You have heard so? A Yes sir.

Q You think you can prove that if given time? A Yes sir.

Q Have you any documentary evidence you want to present now? A No sir.

Here John London, Attorney for the applicant asked leave to file written evidence in support of this application in the near future.

This applicant will be allowed time in which to prove the facts in her case and to present documentary evidence in support of this application which she makes for herself and children.

Q Do you speak Choctaw? A No sir.

Q Or understand it? A No sir.

Q Anything further you want to say about this claim? A No sir.

Q Are you related to Roberta I. Coleman? A Half sister.

Q And Lillian Bedford? A Half sister.

Q Mary L. Crook? A She's my mother, Mary L. Crook.

Q Do you want to have the testimony taken in those cases considered with yours when yours is considered? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. Has gray eyes, medium dark complexion, dark brown hair. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Clara Mitchell
Notary Public.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

H. C. R. 3873

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Jessie Crook Smith,

Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C B	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C B	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W. Murphy, et al.,	M C R	3925
Jeunie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texauna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alina Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Bartrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Acting Chairman.

REFER IN REPLY TO THE FOLLOWING:

MCR 3872

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 20, 1905.

Jessie C. Smith,
Paris, Texas.

Dear Madam:

You are hereby notified that November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your two minor children, Hugh E. and Mary Ruth Smith, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

W. O. Beall,

Acting Commissioner.

3872

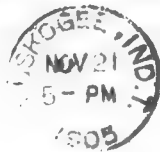
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U.S. DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



UNCLAIMED.



Jessie C. Smith,

R-2

~~Paris, Tex.~~

No. 3872

For Identification as a Mississippi Choctaw.

Date

OCT 29 1901

Name

Jessie C. Smit.

Age 34

Blood mixt known

Post Office, Paris, Texas.

Father: Jere S. Crook. l

Mother: Mary L. Crook l

Claims through mother
Hendrick
Edwin J. Smith, W.

No claim for husband

Children:

Wugh E. Smit, 14

Mary Ruth " 12

Claim for self &
2 children -

Stenographer

Neal Beland

Choctaw MCR 3873

John W. Crook

See MCR 3878

MCR 3873

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3873.

In the matter of the application of John W. Crook for the identification of himself and his two minor children, Olin L. and Mary A. Crook, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

John W. Crook, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A J. W. John W. Crook.
Q John W. Crook? A Yes sir.
Q What is your age, Mr. Crook? A Thirty-three.
Q What is your post office address? A Paris, do you want the Street number?
Q Yes. A 316 South High.
Q Where were you born? A I was born in Lamar County.
Q Is Paris in Lamar County? A Yes sir, Paris is the County seat.
Q And you have always lived there? A Yes sir, all my life.
Q What is your father's name? A Jere S. Crook.
Q Is he living? A Yes sir.
Q What is your mother's name? A Mary.
Q Mary? A L.
Q She came here for identification today, October 29th? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Mother.
Q How much Choctaw blood do you claim through your mother? A Well, I don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A No sir.
Q Have you-----do you know when your father and mother were married? A Yes sir.
Q When and where? A They were married I believe in '65, in Lamar County.
Q Do you remember the day of the month? A No sir, I do not. I have seen it to-day, but my personal knowledge I don't know.
Q You haven't the proof of their marriage with you have you? A No

(2).

- Q sir I believe not.
- Q You think you can produce it? A Yes sir, we can produce it. We can get their certificate, but we thought it wasn't necessary to bring that.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Mary E. Want her maiden name?
- Q No. What is her nationality? A American.
- Q What? A American--white.
- Q She is white? A Yes.
- Q Do you make any claim for her? A No sir.
- Q Have you children that you want to make application for? A Two.
- Q What is the name of the oldest? A Olin L.
- Q What? A O-l-i-n L.
- Q How old is Olin? A Three. He's nearly four, which would you put it?
- Q Next? A Mary Adeline.
- Q How old is Mary? A One.
- Q Is Mary E. Crook the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Are they living with you at your home? A Yes sir.
- Q When and where were you married to your wife? A I was married to her at Church.
- Q The name of the town? A There wasn't any town. Just a country church.
- Q In what County? A Lamar County.
- Q What date? A On the 23rd of December, '96.
- Q By a minister under a license? A Yes sir.
- Q Have you the proof of your marriage? A Yes sir.
- Q Do you want to file a copy or do you want to file the original? A A copy will do I suppose.
- Q You will hand this will you later? A Yes sir.
- Q You make claim for yourself and these two children do you? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application for citizenship in the Choctaw Nation either to the Choctaw tribal authorities or the authorities of the United States? A No sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw and for the purpose of the identification of these children as Mississippi Choctaws claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I believe I do.
- Q You have heard it read and explained have you a number of times? A Yes sir, a number of times.
- Q Article XIV of the Treaty of 1830 reads as follows:

(5).

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be over ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have read and had read to you and explained this article, have heard it explained here in other cases, this Article XIV of the Treaty of 1830, do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A I do not know personally, no sir.
- Q What is the name of the ancestor through whom you claim your right to be identified? A The original?
- Q Yes. A Rachael Shelton.
- Q Is she a Choctaw Indian, having Choctaw blood? A I think so. That's my understanding.
- Q Do you know how much Choctaw blood she had? A No sir.
- Q Did you ever hear how much she had in the family as a matter of history and tradition? A Yes sir, I have heard that she was a half-breed.
- Q You have heard that in the family, have you? A Yes sir.
- Q Did she ever have an Indian name? A I do not know.
- Q Did she speak the Choctaw language do you know? A No sir I do not.
- Q Did she live in Mississippi or Alabama? A I don't know that.
- Q You never heard that she lived there in 1830? A No sir.
- Q You claim through your-----A Mother.
- Q Mother. Your mother is now living? A Yes sir.
- Q And how old is she at the present time? A Sixty.
- Q Where was she born? A In Lamar County, Texas.
- Q She claims through which parent, father or mother? A Mother. Through her mother.
- Q What was her mother's name? A Minerva Yates.
- Q Where was she born? A I don't know.
- Q Where did she die? A She died in west Texas.
- Q Do you know when? The date? A No sir, four or five years ago. Must be six years ago.
- Q How old was she when she died? A Well, I don't know that either I know when she was born.

(4).

- Q When was she born? A She was born in '17.
Q 1817? A Yes sir.
Q You don't know where? A No sir, I do not know where.
Q Did you ever hear that she lived in Mississippi or Alabama? A Never heard.
Q She claims through which ancestor? A Mother.
Q And her mother's name was? A Rachael Shelton.
Q Through whom did she claim her Choctaw blood, do you know? A I don't know.
Q Do you know when and where she was born or when and where she died? A No sir.
Q Do you know whether she lived in the old Choctaw Nation in Mississippi or Alabama? A I don't know.
Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know that.
Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of Dancing Rabbit Creek go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi and take land there and become citizens of the United States? A I don't know.
Q Did any of your Choctaw ancestors to your knowledge go from Mississippi or Alabama, that is from the old Choctaw Nation, to the new Choctaw nation in the Indian Territory with the other Indians between 1833 and 1838? A I don't know.
Q Did any of your Choctaw ancestors claim or receive any land in Mississippi under Article XIV of the Treaty of 1830? A I have heard they claimed it. I don't know whether they got it or not.
Q Under that article of that treaty? A I think so.
Q Well, you heard they received scrip there didn't you? A Yes sir.
Q Did they receive that scrip under either the Commission of 1837 or the Commission of 1842? A I don't know personally.
Q What do you understand they received when they received scrip?
Q What do you mean by that? A Land scrip.
Q Well, this scrip was what? A It was a certificate.
Q Which entitled them to select land? A Select land in various places.
Q Did you ever see anybody or know anybody who had seen that scrip? A No sir, never saw any.
Q In this particular case? A No sir.
Q You only heard of it? A Yes sir.
Q Do you know if there is any record anywhere that shows that this ancestor did receive such scrip from the Government? A I think there is.
Q You think you can show that if given time? A Yes sir.
Q Did any of your Choctaw ancestors claim any benefits or receive any land under any other article of the treaty of 1830 than article XIV or under the supplement of that treaty? A I don't know.
Q The United States Indian Agent who lived in Mississippi in 1830

after that treaty was ratified, that is after the 24th day of February 1831, was instructed by the United States Government to make a list of the names of all Choctaw Indians who came before him within six months from the ratification of the treaty of 1830 and told him that they wanted to stay in Mississippi and take land there and become citizens of the United States. He failed to make a complete list of the names of all applicants who complied with these provisions of Article XIV of that Treaty, so that Ward's Register contains but a small fractional part of the total number

(5).

who complied with that article of that treaty. As a result of this neglect on the part of the United States Indian Agent a great many Indians who lived in Mississippi and who had land there or in Alabama, that is in the old Choctaw Nation had that land taken from them by the Government and sold, together with the improvements, by the United States Government at its public land sales. This caused a great deal of distress among the Indians and a great many complaints so that in 1837, on account of these complaints, Congress by an Act which was approved March 3, 1837, appointed a Commission which Commission went to the State of Mississippi and heard all Choctaw claimants who desired to go before it, and made a list of the names of successful claimants under Article XIV of the Treaty of Dancing Rabbit Creek. In 1842 by Act of Congress which was approved August 23, 1842 another Commission was appointed by Congress and they also went to the State of Mississippi and heard claimants under Article XIV of the Treaty of Dancing Rabbit Creek and made lists of the names of successful claimants. Do you know if any of your Choctaw ancestors appeared before either of those two Commissions and claimed benefits under article XIV of that Treaty? A I don't know.

- Q According to the provisions of the Act of Congress that was approved August 23, 1842, it was decided that if any Choctaw claimant came before the Commission of 1842 and proved his claim, and that if his land had been previously taken from him by the Government, he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, and that he should receive a certificate to that effect. These certificates were called scrip. T This scrip was issued only by the Government under the Act of Congress approved August 23, 1842, not by the Commission of 1837. Do you know if any of your Choctaw ancestors or Rachael Shelton received any such scrip from the Government? A I have heard so. I don't know.
- Q You don't know whether she got it under that Act of Congress or not do you? A No sir.
- Q But if she received any such scrip under Article XIV of the Treaty of 1830 she must have got it from that act of Congress. Do you think you can show that if given time? A I think so.
- Q Have you any documentary evidence of any kind that you wish to present now? A I have nothing but my marriage certificate.
- Q Do you want to present anything now? A No sir.
- Q Do you want time? A Yes sir.

Here John London, Attorney for the applicant, asked leave to file written evidence in support of this application within the near future.

Reasonable time is allowed this applicant in which to file documentary evidence or to produce any other proper testimony in support of this application which he makes for identification as a Mississippi Choctaw for himself and children.

- Q Do you speak the Choctaw language or understand it? A Only a few broken phrases.
- Q You don't converse? A No sir.
- Q Is there anything more you want to say in support of this claim? A No sir.

(6).

Q Anything you want to say, Mr. London? A No sir.

Q Any questions? A No questions.

Reference is hereby made in this case to the case of Mary L. Crook, Lillian Bedford and Roberta I. Coleman, in order that this applicant may get the advantage of the testimony given by these relatives who claim with him through the same common ancestor.

This applicant has the appearance and physical characteristics of being descended from white parentage; has blue eyes, medium dark complexion, light hair. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 25 day of January, 1902.

Hal Belford
Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3873

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

John W. Crook,

316 South High Street,

Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W. Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Shob Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlaeson, Victor L. McGlaeson, jr., Louise McGlaeson, Russell McGlaeson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Week P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

COPY:

MCR 3873

Muskogee, Indian Territory, November 20, 1905.

John W. Crook,
316 S. High Street,
Paris, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your two minor children, Olin L., and Mary A. Crook, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3873

For Identification as a Mississippi Choctaw.

Date OCT 29 1901

Name John W. Crook.

Age 33 — Blood Don't know.

Post Office, Paris, Texas, —
316 So. High St.

Father: Jere S. Crook. l.

Mother: Mary L. " l.

Claims through ~~father~~ mother,
wife, Mary E Crook, w.

No claim for wife —

Children:

Clin L. Crook, 3

Mary A. " 1

Claims for self
and children —

Stenographer Neal Bedford

Choctaw MCR 3874

Charles O. Crook

See MCR 3878

MCR 3874

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3874.

In the matter of the application of Charles O. Crook
for the identification of himself and his two minor children, Harry
C. and William S. Crook, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Charles O. Crook, being first duly sworn, upon his
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A C. O. Crook.
Q What is the "C" for? A Charles.
Q What is your age? A Twenty-eight.
Q What is your post office address? A Paris, Texas.
Q Do you live in Paris? A No sir, I live out.
Q In what county is Paris? A Lamar.
Q How long have you lived in this county? A All my life. Born and
raised there.
Q I think you gave the County didn't you? A Yes sir, Lamar.
Q What is your father's name? A Jere S. Crook.
Q J-e-r-e S.? A Yes sir.
Q Living? A Yes sir.
Q And your mother's name is? A Mary L.
Q She appeared for identification to-day did she not, October 29?
A Yes sir.
Q You claim through your mother do you? A Yes sir.
Q How much Choctaw blood do you claim through her? A I don't
know sir.
Q Have you proof of the marriage of your father and mother? A No
sir, I haven't it with me.
Q You think you can furnish it if given time? A Yes sir.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by either the Choctaw Tri-
bal Authorities or the United States Authorities in the Indian
Territory? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Emma.
Q Emma Crook? A Yes sir.
Q What is her nationality? A White.

(2).

- Q Do you claim for her? A No sir.
- Q Have you any children you want to make application for? A Two.
- Q What is the name of the oldest? A Harry C.
- Q H-a-r-r-y? A Yes sir.
- Q Harry C.? A Crook.
- Q How old is Harry C. Crook? A Four. Four years.
- Q What is the name of the next? A William S.
- Q William S.-----how old is he? A Four months.
- Q You claim for yourself and these two children do you? A Yes sir.
- Q When and where were you married to your wife, Emma? A In Lamar County.
- Q Texas, was it? A Seventh of November, '93.
- Q By a minister under a license? A Yes sir.
- Q Have you your marriage license and certificate with you? A Yes sir.
- Q You intend to file that with your other evidence later do you?
- A How's that.
- Q You intend to file that with your other documentary evidence?
- A Yes sir.
- Q Is your name on any of the Choctaw Tribal Rolls in the Indian Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for admission as a member of the Choctaw Tribe of Indians, to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to membership in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application to be enrolled as a member of the Choctaw Tribe of Indians either to the Choctaw Tribal Authorities or the United States Authorities? A No sir.
- Q Is it your purpose now in coming before the Commission to identify yourself and these children as Mississippi Choctaws claiming benefits in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand article XIV of that treaty? A Well, I have heard it read and explained. I think I do.
- Q Have you heard it read a number of times and explained? A Yes sir.
- Q You think you understand it now without a further explanation?
- A Yes sir, I think so.
- Q You waive it then do you? A yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be entitled to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey: in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter

section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

- Q Do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of Article XIV of that Treaty of 1830, as read and explained to you and as you understand it? A I have heard that they did.
- Q In what way, do you know? A Well, I have heard that she had received scrip.
- Q Who received scrip from the Government? A My great-grandmother.
- Q What was her name? A Rachael Shelton.
- Q How much Choctaw blood did she have? A I don't know sir.
- Q You say you heard she received scrip from the Government as a Choctaw Indian. Was that scrip issued to her by some Commission appointed after the treaty of 1830 was ratified? A I don't know.
- Q How much Choctaw blood did she have? A I don't know sir.
- Q What? A I don't know.
- Q Did you ever hear? A No sir.
- Q Did she live in Mississippi or Alabama? A I don't know that.
- Q Did she have a Choctaw Indian name? A I don't know that either.
- Q Did she speak the Choctaw language? A I don't know.
- Q Well now, you claim to be descended from a Mississippi Choctaw who had Choctaw blood. Don't you know whether she ever lived in Mississippi. Did you ever hear that in the family? A Well, I don't know that I did, no sir.
- Q Do you think if allowed time you could introduce testimony that would prove that point and clear it up? A I think I can, yes sir.
- Q Did any of your Choctaw ancestors own any land in Mississippi, or any improvements on land in Mississippi or Alabama in 1830? A I don't know sir.
- Q Did any of them within six months after the ratification of that treaty go to the United States Indian Agent whose name was Colonel Ward, and tell him that they wanted to stay in Mississippi and take land there? A I don't know that.
- Q Did any of your Choctaw ancestors go from the old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation in the Indian Territory, between 1833 and 1838 with the other Indians? A I don't know that.
- Q You claim through your mother, do you not? A Yes sir.
- Q How old is she? A Sixty years.
- Q Where was she born? A Lamar County.
- Q Texas? A Texas.
- Q Did she ever live in Mississippi or Alabama? A No sir.
- Q She claims through which parent, father or mother? A Mother.
- Q What was her name? A Rachael Shelton.
- Q Rachael what? A Shelton. My mother's mother was named Minerva Yates.
- Q Minerva Yates. That is your grandmother as your mother's side? A Yes sir.
- Q Did she ever live in Mississippi or Alabama? A I don't know that.
- Q Where was she born? A My mother's mother?
- Q Yes. A I don't know that.

(4).

- Q Where did she die? A In Western Texas.
- Q How old would she be if she were living now? A I think it's eighty-four.
- Q Did she ever live in the old Choctaw Nation? A I don't know.
- Q She claimed her Choctaw blood through which parent? Her mother?
- A Yes sir, her mother.
- Q Is that Rachael Shelton? A Yes sir.
- Q Do you know anything about Rachael Shelton's parents, father or mother? A No sir.
- Q Or which one she claimed her blood through-----Choctaw blood?
- A No sir.
- Q You don't know when Rachael Shelton was born or where? A No sir I do not.
- Q Or when or where she died? A No sir.
- Q Did any of your Choctaw ancestors claim any land or any benefits whatever under Article XIV of the Treaty of 1830, do you know?
- A No sir, I do not.
- Q Did any of your Choctaw ancestors claim any land or any benefits whatever under any other article of the Treaty of 1830 than Article XIV or under the supplement of that Treaty? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, the United States Indian Agent who lived in Mississippi in 1830 was required to make a list of the names of all Choctaw Indians who came to him within six months after the ratification of the Treaty and told him that they wanted to stay in Mississippi and take land there and become citizens of the United States. The United States Indian Agent made a list called Ward's register. It contains the names of only a few of the heads of families who came before him within six months from the ratification of that treaty and made declarations of intentions to stay there in Mississippi and take land. This failure to make a complete record of all of the names of applicants or claimants who came before him pursuant to the provisions of that article caused many Indians who had land in Mississippi upon which they had improvements to lose both land and improvements, which caused so many complaints among the Indians that in 1837 by an Act of Congress approved March 3rd of that year, Congress appointed a Commission. This Commission went to the State of Mississippi and heard claimants under Article XIV and made lists of the names of successful claimants. In 1842 another Commission was appointed by Congress for the same purpose and this Commission also made lists of the names of successful claimants under that article of that treaty. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842 and claim benefits under article XIV of that treaty? A I don't know sir.
- Q But you did hear that one of your ancestors received scrip from the Government didn't you? A Yes sir.
- Q Well, if she did she must have gone before that Commission of 1842 because that Commission was empowered to issue scrip, or rather if it decided, if that Commission decided that a Choctaw claimant had proven his claim before that Commission in the hearing of his case, and it was developed that he had had land and the Government had taken it from him then this Commission of 1842 had a right to say that he should have scrip issued to him or a certificate. They were issued by the Government but this Commission decided whether he should receive any. So if you ever heard and if it is true that Rachael Shelton received any such scrip she must have got it by going before that Commission and having it issued by the Government upon a finding by that Commission. But you don't know about that any more than that you have heard she got land scrip? A No sir.
- Q Do you think you can prove that later? A Yes sir.

(5).

- Q Have you any documentary evidence that you want to introduce in support of this claim? A No sir.
- Q Do you want reasonable time? A Yes sir.

Here John London, Attorney for the applicant requests time in which to file written evidence in support of this application.

By request of Counsel for applicant reasonable time is allowed this applicant in which to introduce documentary evidence in support of this application which he makes for himself and children. Also reasonable time for the introduction of any proper evidence, or testimony in support of this application.

- Q Do you speak or understand the Choctaw language? A No sir.
- Q Mary L. Crook, Lillian Bedford, Roberta I. Coleman, Jessie G. Smith, John W. Crook have made application for identification as Mississippi Choctaws before the Commission on the above date, October 29, claiming through the same common ancestor, Rachael Shelton. This is the same ancestor that you claim through? A Yes sir.
- Q Are you related to these people? A Yessir.
- Q Do you want to have their testimony considered with yours that you may get the benefit of what they have sworn to and the records in their cases? A yes sir.
- Q Do you want to say anything further? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. Has light brown eyes, medium dark complexion, and brown hair. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Carroll Wood
Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3874

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Charles O. Crook,

Paris, Texas,

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

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Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
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Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
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Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vern Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgin Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

Sic *Tams Bixby.*

Registered.

Acting Chairman.

COPY.

MCR 3874

Muskogee, Indian Territory, November 20, 1905.

Charles O. Crook,
Paris, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your two minor children, Harry C. and William S. Crook, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. ~~3874~~

For Identification as a Mississippi Choctaw.

Date OCT 29 1901

Name Charles O. Crook.

Age 28 - Blood Dark Skinned.

Post Office, Paris, Texas.

Father: Jure S. Crook. l

Mother: Mary L. " l.

Claims through mother
wife Emma Crook. w.

No claim for wife

Children:

Harry C. Crook. 4
William S. " 4 m.

Claim for self
and children

Stenographer Hal Bedford

Choctaw MCR 3875

Walter J. Crook

See MCR 3878

MCR 3875

Department of the Interior
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#2878

In the matter of the application of Walter J. Creek
for the identification of himself and his minor child, V. Wilson Creek
as Mississippi Choctaws.

Applicant represented by John Landon, Attorney.

Walter J. Creek, being first duly sworn, upon his oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Walter J. Creek.
Q What is your age? A Twenty-seven.
Q What is your post office address? A Cooper, Texas.
Q Cooper? A Yes sir, Delta County.
Q How long have you lived there? A I have lived in Cooper five
years and a little over.
Q Where were you born? A I was born in Lamar County,
Lamar County? A Yes sir.
Q Texas, and you went from there to Cooper? A Yes sir.
Q What is your father's name? A Jere B. Creek.
Q Living? A Yes sir.
Q What is your mother's name? A Mary L. Creek.
Q She appeared for identification to-day didn't she, October 29?
A Yes sir.
Q You claim through your mother? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know sir.
Q Has your mother ever been recognized in any way as a Choctaw In-
dian or enrolled as a member of that tribe by either the Choctaw
Tribal Authorities or the United States Authorities in the Indian
Territory? A No sir.
Q Have you proof of the marriage of your father and mother with
you? A I haven't got it with me but we can furnish it. We have
got it here.
Q You don't know how when and where they were married? A Why I
knew that they were married in Lamar County, 1865.
Q By a minister under a license? A Yes sir.
Q You will introduce that proof will you later? A Yes sir.
Q That is if you desire to. A Yes sir.
Q Are you married? A Yes sir.

(2).

- Q What is your wife's name? A Tennie.
Q T-e-n-n-i-e? A Well, the license has got it on T-e-n-n-i-e but she sometimes spells it T-e-n-n-e. I expect you better put it that way.
Q What is her nationality? A She's American.
Q White? A Yes sir.
Q Do you make a claim for her? A No sir.
Q Have you children that you wish to make application for? A Yes sir.
Q How many? A One.
Q What is the name of that child? A W. Wilson Creek.
Q W. Wilson? A Yes sir, W-i-l-s-o-n.
Q How old? A Three years.
Q Is your wife Tennie the mother of this child? A Yes sir.
Q Were you ever married before you married her? A No sir.
Q Was she ever married before she married you? A No sir.
Q You claim for yourself and this child do you? A Yes sir.
Q Is your name on any of the Tribal Rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
Q Have you ever applied for citizenship or for enrollment as a citizen of the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
Q Is your name upon any of the Tribal Rolls of the Choctaw Nation placed there through application to either the Dawes Commission, the Choctaw Tribal Authorities or the United States Court in Indian Territory? A No sir.
Q Is this the first time you have ever made application for citizenship in the Choctaw Nation either to the Choctaw Tribal Authorities, or the United States Authorities? A Yes sir, this is the first time.
Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw and for the identification of your son, W. Wilson Creek as a Mississippi Choctaw claiming under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A Yes sir, I think I do. I have heard it read two or three times and explained a great many times.
Q You don't care for a further explanation? A No sir.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become

(3).

citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q As you have heard it read and explained to you and as you understand it do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of Article XIV of the Treaty of Dancing Rabbit Creek? A Why, I have just heard so.
- Q In what way have you heard any of them have complied? A Well, by receiving some scrip.
- Q Who received scrip among your ancestors? A I have heard that Rachael Shelton did.
- Q What relation was she to you? A She was my great-grand mother.
- Q You claim through your mother do you not? A Yessir.
- Q And she claimed through which? A Her mother.
- Q Her mother's name was what? A Her mother's name-----my mother's mother's name was Minerva Yates.
- Q Yates? A Yessir.
- Q And she claimed her Choctaw blood through which of her parents, father or mother? A Her mother, Rachael Shelton.
- Q Did any of your Choctaw ancestors that you have named ever live in the old Choctaw Nation in Mississippi or Alabama? A Well I don't know that they have, no sir.
- Q Did you ever hear how much Choctaw blood Rachael Shelton had? A No sir.
- Q Did you ever, are you sure that you ever heard that she had Choctaw blood? A I have heard so, yes sir.
- Q That has been a matter of family History and Tradition has it in the family. In all branches of the family? A Yes sir, and outside of the family.
- Q Well now did you ever hear that she ever lived or any of her ancestors ever lived in the old Choctaw Nation? A I have never heard that, no sir.
- Q Did she speak and understand the Choctaw language? A I don't know sir.
- Q Did she have an Indian name? A I don't know sir. Not that I know of.
- Q Can you give the name of any Choctaw ancestor who lived in Mississippi in 1830 and was the head of a family there at that time? A Can I give the name of any?
- Q Yes, any member of the family? A Well, I don't know unless it could be Rachael Shelton.
- Q You say you don't know that she lived there at that time? A No sir, I don't know that.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know sir.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian territory with the other Indians between 1833 and 1838? A I don't know sir.
- Q Did any of them within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent of their in-

(4).

tention to remain in Mississippi and take land there and become citizens of the States? A I don't know sir.

Q Did any of your Choctaw ancestors claim or receive any land or any benefits whatever under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know sir.

Q Did any of your ancestors claim any benefits or any land under article XIV of the Treaty of 1830? A I don't know.

Q According to the provisions of Article XIV of that treaty the United States Indian Agent was expected or required by the Government to make a list of the names of all Indians who came to his office and told him that they intended to stay in Mississippi and take land there and become citizens of the States. It was his business to record their names, and this they did, they were to do within six months after the ratification of that treaty. This a great many Choctaw Indians did actually do, and the names of a few of them were recorded by the United States Indian Agent, as is evidenced by Ward's Register which has perhaps eighty heads of families there, any way less than one hundred, but the names on that list is a very small fractional part of the whole number of Indians who actually did appear before Colonel Ward and comply with the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, in making these applications within the time stated there in Article XIV. This neglect to make a complete list on the part of the United States Indian Agent, caused the land to be taken from a great many Choctaw Indians and they lost both land and improvements because they were both taken by the Government and sold. This caused a great many complaints on the part of the Indians and as a result of the complaints that were made Congress in 1837 by an Act of Congress approved on March 3, 1837, appointed a Commission. This Commission went to the State of Mississippi and heard claimants under Article XIV making a list of the names of all claimants who had proven their claims. In 1842 another Commission was appointed for the same purpose and this Commission made lists of the names of successful claimants under that Article XIV. Do you know if any of your Choctaw ancestors appeared before either of these Commissions, that of 1837 or the Commission of 1842 and claimed benefits under Article XIV of that Treaty? A Just hearsay is all.

Q You heard Rachael Shelton did. A Heard she did and received scrip.

Q She must have appeared or she wouldn't have received the scrip.

Q According to the provisions of the Act of Congress approved August 23, 1842, it was provided that if a claimant came before that Commission of 1842 and proved his claim under Article XIV, and if at that time it further appeared that he had had his land taken from him by the Government, he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant government land, and that this scrip, or a certificate which was called scrip in that day, should be given to him to that effect. Do you know whether any of your Choctaw ancestors, have you heard that Rachael Shelton received such scrip? A I have heard so yes sir.

Q You haven't the proof here now have you of that fact? Any further than Hearsay? A No sir, I haven't.

Q Matter of family history and tradition? A Well, I don't suppose it's a matter of family history at all.

Q You think you can show that point do you if given time? A Yes sir

(5).

Q You have no documentary evidence to introduce now have you? A Not at present, No sir.

Here John Lendon, attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to produce documentary evidence of this fact also such evidence and testimony as he desires to submit in support of this application which he makes for himself and children.

Q Do you speak or understand the Choctaw Language? A No sir.
Q Is there anything further you want to say in support of this claim? A No sir.
Q The following persons have made application for identification as Mississippi Choctaws before the Commission on this date, October 29, all claiming through Rachael Shelton. Mary L. Crook, mother of yours? A Yes sir.
Q Lillian Bedford? A She's a half sister.
Q Roberta I. Coleman? A Half Sister
Q Jessie C. Smith? A Full sister.
Q John W. Crook? A Brother.
Q Charles O. Crook? A Brother.
Q Do you want to have their testimony considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. Has gray eyes, medium dark complexion, brown hair. He has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830 neither has he any knowledge of the Choctaw language.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Clara McArthur
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES.
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AVLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. C. R. 3878

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Walter J. Crook,

Cooper, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jeunie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
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Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

COPY.

NCR 3878

Muskogee, Indian Territory, November 20, 1905.

Walter J. Crook,
Cooper, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your minor child, W. Wilson Crook, as Mississippi Choctaws, was consolidated and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3875

For Identification as a Mississippi Choctaw.

Date **OCT 29 1901**

Name *Walter J. Crook*

Age *27* Blood *Don't know*

Post Office, *Cooper, Texas.*

Father: *Jerre S. Crook, l.*

Mother: *Mary L. " l.*

Claims through *mother*
wife

Jennie " w.

No claim for white.

Children:

N. Wilson Crook, 3

*Claims for any
and child*

Walter Belford

Choctaw MCR 3876

Stella Schultze

MCR 3876

Department of the Interior.
Commission to the Five Civilized Tribes.
Stake, Indian Territory, October 29, 1901.

#3876.

In the matter of the application of Stella W. Schultze
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Stella W. Schultze, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Stella W. Schultze, S-e-h-u-l-t-z-e .
Q What is your age? A Twenty-six.
Q What is your post office address? A Cooper, Delta County.
Q Texas? A Yes sir.
Q How long have you lived in Cooper? A Three years.
Q Where were you born? A In Lamar County.
Q In Texas? A Yes sir.
Q Did you remove from Lamar County to Cooper County? A Yes sir.
Q Lived only in these two counties? A That's all.
Q What is your father's name? A Jere S. Creek.
Q Is he living? A Yes sir.
Q What is your mother's name? A Mary L. Creek.
Q She has appeared here for identification to-day, hasn't she,
October 29? A Yes sir.
Q You claim your Choctaw blood through your mother? A Yes sir.
Q How much do you claim? A I don't know how much.
Q Has your mother ever been recognized as a Choctaw Indian, or en-
rolled as a member of that Tribe, either by the Choctaw tribal
authorities or the United States Authorities, in the Indian
Territory? A No sir.
Q Have you the proof of the marriage of your father and mother?
A I haven't it but I can get it.
Q You can get it if you desire? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Jehanis Schultze, J-e-h-a-n-i-s .
Q Is he a Choctaw Indian? A No sir, he's a German from Germany.
Q He is not an Indian? A No sir.
Q You don't make any claim for him then? A No sir.
Q Have you any children you want to make application for? A No sir
just for myself.

(2).

- Q Just for yourself alone? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities in the Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been enrolled or admitted as a Choctaw Indian in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made for citizenship in the Choctaw Nation either to the Choctaw Tribal authorities or to the United States authorities? A Yes sir.
- Q Do you now come before the Commission in order that you may be identified as a Mississippi Choctaw claiming under the provisions of Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I think I do. I have heard it explained.
- Q About how many times have you heard it to-day do you think, explained? A I don't know. About seven times I think or six.
- Q As many as six or seven? A Yes.
- Q So that you think you understand it now do you? A Yes sir.
- Q You don't care for any further explanation? A No.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under two years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained do you know if any of your Choctaw ancestors complied with any of it's provisions? A No sir, I do not.
- Q What is the name of your ancestor who lived in Mississippi in 1830 if you know? A I don't know that she lived in Mississippi, the

(3).

ancestor we claim through.

- Q Well, the name of your ancestor? A Rachael Shelton.
- Q That is the one through whom you claim your right to be identified? A Yes sir.
- Q How do you know she was a Choctaw Indian? A I don't know.
- Q Well, you have heard that she was didn't you? A Yes sir, I have heard so.
- Q How much Choctaw blood did you hear she had? A I don't know how much.
- Q How didn't you ever hear anybody tell you in the family? A No sir.
- Q That Rachael Shelton had so much Choctaw blood-----she was a half blood? A I didn't hear how much.
- Q Did you ever hear that she lived in Mississippi or Alabama in the old Choctaw Nation? A No sir.
- Q Did you ever hear that she had an Indian name? A No sir.
- Q Did you ever hear that she spoke the Choctaw language? A No sir.
- Q You speak it don't you? A No sir.
- Q Do you know whether any of your Choctaw ancestors lived in Mississippi or Alabama in 1830 and were the heads of families there at that time? A No sir, I do not.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830, or any time before that? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 go to the United States Indian Agent, Colonel Ward, and tell him that they wanted to stay in Mississippi and take land there and become citizens of the United States? A I don't know.
- Q Did any of your Choctaw ancestors own any land or claim any in Mississippi or Alabama as beneficiaries under Article XIV of the Treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors claim any benefits or receive any land or claim any land under any other article of the treaty of 1830 than article XIV or under the supplement of that treaty? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, the United States Indian Agent, Colonel Ward, who lived in Mississippi in 1830 was instructed by the Government to make a list of the names of all Indian claimants who came before him within six months from the ratification of the treaty and claimed benefits under Article XIV of that Treaty. This agent made a list of names which was called Ward's Register, but it contains the names of only a few of the heads of families who actually went before him and made declarations of intentions under Article XIV of that Treaty. A great many who actually did go before Colonel Ward under that article failed to get their names placed upon any list or any register. This led to distress among the Choctaw Indians and injustice, and caused many complaints because the land of many of these Indians was taken from them and sold by the Government. On account of the complaints that were made Congress in 1837 appointed a Commission which Commission went to the State of Mississippi and heard claimants under Article XIV of that treaty and made lists of the names of successful claimants. In 1842 another Commission was appointed for the same purpose and that Commission went to Mississippi and heard claimants under that article of that treaty. Do you know whether any of your ancestors, Rachael Shelton, or any other ancestor went before either the Com-

(4).

mission of 1837 or the Commission of 1842 and claimed benefits or rights or privileges under Article XIV of that Treaty? A I have heard that they did.

Q Did you hear that Rachael Shelton ever received any scrip from the Government as Choctaw Indians? A Yes sir.

Q How did you hear that? Through whom? A I don't know through whom.

Q Well now can't you tell? Through your father, through your mother grandfather or grandmother? A Through my mother.

Q Did you understand what that was? A What is meant? What that scrip was? A No sir, I didn't.

Q You just simply heard that but didn't understand further? A Yes sir.

Q Do you think if given time you would be able to produce evidence to show that fact? A Yes sir.

A reasonable time will be allowed this applicant in which to file documentary evidence in support of this claim which she makes for identification as a Mississippi Choctaw.

Q Do you speak Choctaw? A No sir.

Q Is there anything more you want to say? A No sir.

Q Do you want to say anything more Mr. London? A No sir.

The following persons to-wit: Mary L. Crook, Lillian Bedford, Roberta I. Coleman, Jessie G. Smith, John W. Crook, Charles O. Crook and Walter V. Crook, all claiming through Rachael Shelton the same ancestor through which this applicant claims are relatives of this applicant and her testimony and their's are to be considered together in order that the testimony of one may have the advantage of the testimony in the other cases.

This applicant has the appearance and physical characteristics of being descended from white parentage. She has medium dark complexion, dark brown eyes and dark brown hair. She does not understand the Choctaw language and has no knowledge of a compliance on the part of the ancestors of any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 3rd day of January, 1902.

Hal Belford
Charles Mitchell Wood
Notary Public,

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. C. R. 3876

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Stella W. Schultze,

Cooper, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Walter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
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Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
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William C. Hilburn,	M C R 3972
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Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arthur Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucille Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Bixby.

Registered.

Acting Chairman.

OPY.

NCR 3876

Muskogee, Indian Territory, November 20, 1905.

Stella W. Schultze,
Cooper, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

H. Seal
Acting Commissioner.

No. 3876

For Identification as a Mississippi Choctaw.

Date

OCT 29 1901

Name Stella W. Schultze

Age 26

Blood Don't know

Post Office, Cooper, Texas.

Father: Jere S. Cross, Jr.

Mother: Mary L. " Jr.

Claims through mother

Husband
Johannis Schultze, w.
No claim for husband

~~Children:~~

Claims for self
alone.

Stenographer Hal Belford,

Choctaw MCR 3877

Marvin B. Crook

See MCR 3878

MCR 3877

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 29, 1901.

#3877.

In the matter of the application of Marvin B. Crook
for identification as a Mississippi Cheetaw.

Applicant represented by John London, Attorney.

Marvin B. Crook, being first duly sworn, upon his oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Marvin B. Crook.
Q M-a-r-v-i-n D.? A B.
Q What is your age? A Twenty-two.
Q What is your post office address? A Paris, Texas.
Q Paris? A Yes sir.
Q Were you born at Paris? A Well, near Paris.
Q Always lived in that County? A Yes sir.
Q What county is that? A Lamar County.
Q What is your father's name? A Jere B. Crook.
Q Living? A Yes sir.
Q What is your mother's name? A Mary L. Crook.
Q She has appeared to-day has she not here, October 29, for identification? A Yes sir.
Q Do you make your claim through her? A Yes sir.
Q How much Cheetaw blood do you claim through your mother? A I don't know.
Q Has your mother ever been recognized as a Cheetaw Indian or enrolled as a member of that Tribe, by the Cheetaw Tribal Authorities or the United States Authorities in the Indian Territory? A No sir.
Q Have you proof of the marriage of your father and mother? A I think I can produce it.
Q You haven't it with you? A No sir.
Q Are you married? A No sir.
Q Claim for yourself alone? A Yes sir.
Q Is your name to be found on any of the Tribal Rolls of the Cheetaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Cheetaw Nation to the Cheetaw Tribal Authorities in the Territory? A No sir.

(2).

- Q Did you ever appear before the Commission to the Five Civilized Tribes in order that you might be enrolled as a Choctaw citizen under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted as a member into the Choctaw Tribe of Indians by either the United States Authorities, the United States Court in Indian Territory, or the Choctaw Tribal Authorities? A No sir.
- Q Is this the first application of any kind that you have ever made for membership in the Choctaw Nation either to the United States Authorities or the Choctaw Tribal Authorities? A Yes sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw, claiming rights and interests in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir, I do.
- Q Do you understand Article XIV of that Treaty of 1830? A I have had it read and explained to me, yes sir.
- Q You have heard it read? A Yes sir.
- Q How many times have you heard it read and explained? A I have heard it read several times and explained.
- Q You don't care to hear it explained further? A I don't think I could retain any more of it.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q After having heard it read and explained that article do you know if any of your ancestors complied or attempted to comply with any of its provisions? A Well, I don't know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q You claim through your mother do you not? A Yes sir.
- Q And she is how old now? A Sixty years old.
- Q Where was she born? A Born in Texas.
- Q What part of Texas? A Lamar County.
- Q She claims through which parent, her father or mother? A Mother.

(3).

- Q What was her mother's name? A Minerva Yates.
- Q How old would she be if living now? A She would be eighty-four years old.
- Q Where was she born? A I do not know.
- Q She is dead now? A She's dead, yes sir.
- Q Do you know when she died or where? A She died in Texas, I think, in '95, I am not positive.
- Q She claimed her Choctaw blood through which parent, father or mother? A Mother.
- Q Rachael Shelton? A Yes sir.
- Q Now then, did she ever live in Mississippi or Alabama in that old Choctaw Nation? A No sir, not that I know of.
- Q You never heard that she did? A No sir.
- Q Did she speak the Choctaw language? A No sir.
- Q Did she have an Indian name, Choctaw Indian name? A I do not know.
- Q Do you know whether she claimed through her father or mother? A She claimed-----who?
- Q Rachael Shelton? A I do not know.
- Q Did you ever hear the name of either of her parents? A No sir.
- Q Did she ever comply with any of the provisions of Article XIV of the Treaty of 1830 that you know of? A I have heard that she did I don't know.
- Q In what way did you hear that? Through what act of hers? A That she received scrip isn't it.
- Q That she received scrip. You don't know when or how or under what circumstances? A No sir.
- Q Do you know what that scrip was? A No sir.
- Q It was a certificate which entitled the holder to select land either in Mississippi, Louisiana, Alabama or Arkansas. Do you know whether she ever selected any land under that certificate or not? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I do not know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A I do not know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent, Colonel Ward, that they wanted to live in Mississippi, take land there and become citizens of the United States? A I do not know.
- Q Did any of them ever claim any land in Mississippi or Alabama under Article XIV of the Treaty of 1830? A No sir.
- Q Did any of them ever claim any land under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A No sir.
- Q In accordance with the provisions of Article XIV of the Treaty of 1830, the United States Indian Agent was required by the Government to make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the Treaty of 1830, and told him that they intended to stay in Mississippi, take land there and become citizens of the United States. This United States Agent made a list which has been called Ward's Register. It contains the names of less than one hundred heads of families who made application under and pursuant to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, but this list contains but a fractional part of the total number of names of applicants who actually appeared before him within the time

(4).

limited in Article XIV and made those declarations. This negligence on the part of the United States Indian Agent to make a complete list of all claimants caused many Indians to lose their lands in Mississippi and Alabama, for the Government seized them, dispossessed the owners or the holders, and sold both land and improvements at public land sales. This caused a great deal of distress among the Indians and a great many complaints were made, so that in 1837, by an Act of Congress approved March 3, of that year, a Commission was appointed which Commission went to the State of Mississippi and heard claims under Article XIV of the Treaty of Dancing Rabbit Creek and made lists of the names of those whose claims were approved. In 1842 another Commission was appointed by Act of Congress approved August 23, 1842, and this Commission also heard and approved of certain persons who came before it to be identified as Mississippi Choctaws. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842, and claim benefits under Article XIV of that treaty? A Not that I know of.

- Q The Act of Congress approved August 23, 1842, provided that if any person appeared before that Commission of 1842 and proved his rights to benefits under Article XIV of the Treaty of Dancing Rabbit Creek, if it had been shown before them that the Government had taken his land from him, that he should be entitled to select land either in Alabama, Mississippi, Louisiana or Arkansas and that he should receive a certificate giving him that right to select land. These certificates were called scrip. Did any of your ancestors receive any such scrip from the Government? A Yes sir.
- Q You have heard Rachael Shelton did? A Yes sir.
- Q You don't know anything further about it except what you have heard in the family as a matter of history and tradition there? A That's all.
- Q Do you think you can prove that if given time? A Yes sir.
- Q Have you any documentary evidence you want to submit now? A No sir.
- Q Do you speak the Choctaw language or understand it? A No sir.

Here John London, Attorney for the applicant asked leave to file written evidence in support of this application within the hear future.

Reasonable time is allowed this applicant in which to file documentary evidence in support of this application which he makes in his own behalf for identification as a Mississippi Choctaw. Also any other proper evidence which he desires to submit.

- Q Do you want to say anything further? A No sir.

The names of Mary L. Crook, the mother of this applicant, Lillian Bedford, Roberts I. Coleman, Jessie C. Smith, John W. Crook, Charles O. Crook, Stella W. Schultze and Walter J. Crook should be included in this application as relatives, this applicant claiming with them through the same common ancestor, Rachael Shelton in order that his testimony and theirs may be considered together.

(5).

This applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, medium light complexion, light hair; does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of Dancing Rabbit Creek.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Charles Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. C. R. 3877

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Marvin B. Crook,

Paris, Texas,

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jeunie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louie McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamm Bixby.

Registered.

Acting Chairman.

COPY.

MCR 3877

Muskogee, Indian Territory, November 20, 1905.

Marvin S. Crook,
Paris, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

For Identification as a Mississippi Choctaw.

Date OCT 29 1901

Name Marvin B. Crook

Age 22 Blood don't know.

Post Office, Paris, Texas.

Father: Jere S. Crook, Jr.

Mother: Mary L. " " l.

Claims through mother.

~~None~~

Claims for self
alone

Stenographer Hal Belford

Choctaw MCR 3878

Maggie M. Coleman

MCR 3878

See MCR 2925 2926, 2927
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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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for identification as Mississippi Choctaws, consolidating the ap-
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Laura Brackeen, et al.,	M.C.R. 2926
Willet Shannon, et al.,	M.C.R. 2927
Malinda Malaney, et al.,	M.C.R. 2973
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James T. Perkins, et al.,	M.C.R. 3330
Nannie A. Cross Bledsoe, et al.,	M.C.R. 3331
Sallie Homer Morgan, et al.,	M.C.R. 3332
Sallie Stanley, et al.,	M.C.R. 3348
Mattie Miranda Justiss, et al.,	M.C.R. 3349
William Shelby Perkins, et al.,	M.C.R. 3350
Duain Sheb Cross, et al.,	M.C.R. 3351
Eddie B. Cross,	M.C.R. 3352
Susan Francis McGlasson, et al.,	M.C.R. 3353
Nannie F. Gambill, et al.,	M.C.R. 3354
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Minnie A. Adshire, et al.,	M.C.R. 3551
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Lola A. Haraway, et al.,	M.C.R. 3888
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Idella Garland, et al.,	M.C.R. 3890
Maud M. Shipe,	M.C.R. 3891
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Johnnie G. Berry, et al.,	M.C.R. 3897
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Ola Glyn, et al.,	M.C.R. 4181
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Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 29, 1901.

#3878.

In the matter of the application of Maggie M. Coleman
for the identification of herself and her seven minor children, Eva,
Ruth A., Gertrude, Davis A., Maggie I., Elizabeth V., and Jessie M.
Coleman, as Mississippi Cheetaws.

Applicant represented by John London, Attorney.

Maggie M. Coleman, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Maggie M. Coleman.
Q Maggie M.? A Yes sir.
Q C-o-l-e-m-a-n? A Yes sir, C-o-l-e-.
Q What is your age? A Forty-two.
Q What is your post office address? A High, Lamar County, Texas.
Q High? A High, H-i-g-h.
Q Where were you born? A In Lamar County.
Q Texas? A Yes sir, Texas.
Q And you went from there where? A I live there at present.
Q What? A I still live in Lamar County.
Q Always lived in that County? Born there? A Yes sir, always
lived there? Born and raised there.
Q What is your father's name? A Eli J. Shelton.
Q What? A Eli J. Shelton.
Q Eli J.? A Yes sir.
Q Is he living? A Yes sir, living.
Q What is your mother's name? A My mother's name? Give her ini-
tial.
Q Just her given name A Elizabeth, is her given name.
Q Elizabeth? A Yes sir.
Q Elizabeth Shelton? A Yes sir.
Q Is she living? A Yes sir.
Q Through which parent do you claim Cheateau blood? A Through my
father.
Q How much do you claim? A I don't know. He is a son of Rachael
Shelton. I don't know.
Q Have you proof of the marriage of your father and mother? A I
can get it, I suppose.

(2).

- Q You havn't it with you? A No sir, I don't know whether he has it or not.
- Q Has your father ever been recognized as a Chectaw Indian by either the Chectaw tribal authorities or any other authority, or been enrolled in any manner as a Chectaw Indian? A Not that I knew of.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A D. A. Coleman.
- Q D. A.? A Yes sir.
- Q Is he a white man? A Yes sir.
- Q You make no claim for him do you? A No sir.
- Q How many have you children? A Seven.
- Q What is the name of the eldest? A Eva.
- Q E-v-a? A Yes sir.
- Q Eva Coleman? A Eva Coleman.
- Q How old is she? A Sixteen.
- Q Next? A Ruth A., age fifteen. Gertrude, Age thirteen, Davis A.
- Q David? A Davis, D-a-v-i-s. Age nine.
- Q Girl or boy? A Girl. Maggie I.
- Q Maggie I.? A Yes, age seven. Elizabeth V. age five. Jessie M. J-e-s-s-i-e.
- Q Girl? A Yes sir, age two.
- Q That is all? A Yes sir, that's all.
- Q You claim for yourself and these children? A Yes sir.
- Q Is D. A. Coleman the father of these children? A Yes sir.
- Q Was he ever married before he married you? A No sir.
- Q Were you ever married before you married him? A No sir.
- Q When and where were you married to your husband? A We married in Lamar County.
- Q What date? A January 10, 1884.
- Q Is your name or the names of these children on any of the tribal rolls of the Chectaw Nation in the Territory? A No sir.
- Q Did you ever make application for citizenship in the Chectaw Nation for yourself and children to the Chectaw Tribal Authorities? A No sir.
- Q Did you ever make application for enrollment or citizenship in the Chectaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted with your children to citizenship in the Chectaw Nation by either the Chectaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time, made application for citizenship in the Chectaw Nation, either to the Chectaw Tribal Authorities, or to the United States Authorities? A No sir.
- Q Do you now come before this Commission for the purpose of identifying yourself and your children as Mississippi Chectaws claiming an interest in the lands in the Chectaw Nation, in this nation in the Indian Territory under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know anything about it. I havn't heard the article read and don't know anything about it.
- Q You have heard that article read? A No sir.
- Q You know what a treaty is all right don't you? A Yes.
- Q What is it? A I have heard of treaties all my life but I really couldn't tell you about it.
- Q Well, a treaty is a compact in writing made between two or more nations instead of between persons. They call it a treaty because it is made between Nations. Of course you know individuals have

(3).

to make contracts in writing sometimes, and they each sign it, and Nations, in order to do business, have to make contracts with other nations and call it a treaty. The Choctaw people had a Nation, a national existence in Mississippi and Alabama, in what is called the old Choctaw Nation up to 1830, and at that time the United States Government wanted to get them all from that old Choctaw Nation east of the Mississippi River to the new Choctaw Nation here in the Indian Territory, all of them. The only way to get them to come was to get them to agree to come by signing a treaty or agreement to that effect. So they got together on the 27th day of September, 1830 at a place in Mississippi called Dancing Rabbit Creek, and they talked the matter over and they drew up this Treaty of 1830, but a great many Indians said they wouldn't go to the new Choctaw Nation Indian Territory, and no provision was made for them at that time if they stayed back there, so before this could be made a treaty ratified, signed and ratified by these different people, article XIV was put into it. Article XIV was drafted and put into this treaty for the especial benefit of those Choctaw Indians who stayed back there in Mississippi and Alabama. They are called now the Mississippi Choctaws. Their descendants also are called Mississippi Choctaws. Article XIV provided that if an Indian wanted to stay back in the old Choctaw Nation he could do so, but if he did certain things provided for in this article he might afterwards go to the new Choctaw Nation, Indian Territory and become a citizen there and get land there, but he had to do these things that was provided here. Now what he had to do was this: he had to do these things. It was necessary that he should within six months after the ratification of this treaty, that is, six months after the 24th day of February, 1831, go to the United States Indian Agent, whose name was Colonel Ward, and tell him that they wanted to stay in Mississippi, wanted to take land there, in that state or in the old Choctaw Nation, and he wanted to become a citizen of the United States. Now if he did that and it was proven that he did it, afterwards he might go to this Nation here, the Choctaw Nation, Indian Territory, have land here with the other Indians, and become a member of the Tribe here, if he stayed back there and lived for five years on this land that he had selected all that time intending to become a citizen of the United States, then at the end of five years he could have a title to the land there, and whether he lived on that land five years or not, whether he got a title to it or not, and whether he afterwards, having a title to it, abandoned it, sold it, it didn't make any difference, he could go to this Choctaw Nation and have the rights of citizenship here. These things they would be able to prove if he had a right here, and the United States wanted to know if you are able to prove, or any of these Mississippi Choctaw descendants who stayed back there. Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey;

(4).

in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you understand that now? A No, I don't think I do. I wouldn't be entitled to any money. Did it mean that?
- Q Yes, you wouldn't be entitled to any money, any of the original annuity that was given to those Indians that removed under the other articles of that treaty when it was made. Those annuities were granted under that treaty to those original Indians when they come here to help them to buy stuff, to help them to live. They had a consideration issued to them, otherwise they wouldn't get started in their agricultural pursuits. Those people who stayed back there in Mississippi, they could share in the land, but not in the annuity. Now do you understand that? A I think I do.
- Q Do you know whether any of your Choctaw ancestors complied with any of these provisions of Article XIV of the Treaty of Dancing Rabbit Creek or not? A No sir, I do not.
- Q What is the name of your ancestor who lived in Mississippi if you know, any way what is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q Did she live in Mississippi or Alabama? A I do not know.
- Q Did you ever hear that she did live in that old Choctaw Nation? A She lived in the Choctaw Nation here?
- Q Or that old Choctaw Nation back there in Mississippi? A No, I don't know anything about it.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did she speak the Choctaw language? A I do not know.
- Q Did she have an Indian name? A No, I think not. I don't know.
- Q You claim through your mother? A Through my father.
- Q You claim through your father? A Yes sir.
- Q Was he a son of Rebecca Shelton? A Jessie and Rachael Shelton.
- Q He's a grandson then? A He's a son of Jessie and Rachael Shelton.
- Q Well, he is living now isn't he? A My father's living, yes sir.
- Q How old is he? A He's seventy-eight.
- Q Where was he born? A He was born I think over here at Fort Smith. It was the Indian Territory then I think.
- Q He never lived in Mississippi then or Alabama? A No.
- Q Well then, he knows does he not whether or not his mother, Rachael Shelton ever lived in Mississippi or Alabama? A I suppose so. I never did ask him.
- Q Is he here? A Yes sir, he's here.
- Q You never did hear then that any of your Choctaw ancestors claimed to have lived in Mississippi or Alabama? A No sir.

(5).

- Q You don't know anything about her father and mother. Rachael Shelton's father and mother? A No sir, don't know anything about them at all.
- Q Don't know whether any of your Choctaw ancestors lived in Mississippi in 1830, and were the heads of families there at that time? A No sir.
- Q Did any of your Mississippi Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A Not that I know of.
- Q Did any of your Mississippi Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian Agent, Colonel Ward, and tell him that they wanted to stay in Mississippi, stay back there in the old Choctaw Nation, and take land there and not remove to the new Choctaw Nation and become citizens of the United States? A I don't know.
- Q Do you know whether any of them ever did go from that old Choctaw Nation to the new Choctaw Nation, Indian Territory, with the other Indians between 1833 and 1838? A No sir, I do not.
- Q Did any of your Choctaw ancestors claim or receive any land or any benefits whatever as Choctaw Indians from the Government under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q Did they receive any benefits or any land or claim any under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q You don't know about that? A No sir.
- Q Do you know what a supplement of a treaty is? A No sir.
- Q That is a copy of the Treaty of 1830. You will see that it is headed:

"A Treaty of Perpetual
Friendship, Cession and Limits, Entered into
by John H. Eaton and John Coffee, for and in
behalf of the Government of the United States
and the Mingoes, Chiefs, Captains and Warriors
of the Choctaw Nation, begun and held at Dancing
Rabbit Creek, on the fifteenth day of September, in
the year eighteen hundred and thirty."

- Q These are the two parts to this treaty. Now this part, Article I up to and including Article XXII, and then it is signed by these representative parties. Greenwood Leflore et al., signed for the Indians. After they had made that treaty they found they wanted to say something more; they hadn't said all they wanted to say, so they put what is called "Supplementary articles to the Preceding Treaty;" then these articles are put in, I, II, III, and IV, and then that is signed by the same parties. That is the supplement of a treaty. Just a supplementary part added to the treaty. You don't claim any benefits under that supplement do you? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, it was required that the United States Indian Agent who lived in Mississippi in 1830 should make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the Treaty of 1830 and to bid him that they wanted to stay in Mississippi and take land there and become citizens of the United States. He made out a list called

(6).

"Ward's Register", but it contains the names of only a very few people who came before him. The greater number who did go before him under that article of that Treaty, failed to get their names upon any list made by him or by anybody else. Now this was a wrong to the Indians and caused great distress among them; caused great deprivation too, because the lands which they were occupying and which they had a right to occupy because they had made those declarations before Colonel Ward within the time limited in Article XIV, was taken from them by the Government with improvements that they had placed upon that land and sold at the public land sales of the Government. This is one of the great wrongs that the Choctaw Indians complained of at the hands of the United States Government which they ought to right and which I hope they will right. On account of the complaints that were made to Congress, Congress appointed a Commission by an act approved March 3, 1837, and this Commission went to the State of Mississippi and heard claims of claimants under Article XIV of the Treaty of 1830 who desired to come before it, and made lists of the names of successful claimants. In 1842 another Commission was appointed for the same purpose by Congress by an act approved August 23 of that year and this second Commission went to the State of Mississippi and made a list of the names of successful claimants who appeared before it. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842 and claim benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.

- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indians appeared before the Commission of 1842 and proved his claim as a Choctaw Indian under Article XIV, if it also appeared from the evidence before that Commission that he had had his land previously taken from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land and that a certificate to that effect should be issued to him. These certificates were called scrip. Do you know whether any of your Choctaw ancestors received any such scrip from the Government as Choctaw Indians? A I do not know.
- Q Have you ever heard that Rachael Shelton ever received any such scrip? A I have heard.
- Q But you don't know much about it? A No sir.
- Q You have heard so? A Yes, but I don't know anything about it at all.
- Q Have you any proof of that fact or any documentary evidence at all that you want to introduce now in support of this claim? A No sir.

Here John London, Attorney for applicant, asks that reasonable time be allowed in which to present documentary or other proper evidence in support of this claim.

A reasonable time will be allowed this applicant in which to introduce documentary evidence in support of this application which she makes for herself and children. Also to introduce any other proper evidence in this case which she may desire to add in support of the application which she makes.

(7).

- Q Do you speak Choctaw? A No sir.
Q Don't understand it? A No sir.
Q You are not very far removed from Rachael Shelton, are you? A She was my grandmother.
Q Did you ever hear how she looked? Her personal appearance? A I have heard that she was dark. I never saw her

The names of Mary L. Crook, Lillian Bedford, Roberta L. Coleman, Jessie C. Smith, John W. Crook, Charles O. Crook, Stella W. Schmitze, Walter J. Crook and Marvin B. Crook, should be included in this application as relatives, this applicant claiming with them through the same common ancestor, Rachael Shelton, in order that her testimony and theirs may be considered together.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that she has dark complexion, dark brown eyes, black hair; she has a decidedly Indian cast of features, and looks as though she might be part Choctaw Indian. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 29, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Charlottesville
Notary Public.

C.W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Maggie M. Coleman, et al.,
for identification as Mississippi Choctaws, consolidating the ap-
plications of:

Maggie M. Coleman, et al.,	M.C.R. 3878
Fannie M. Cook, et al.,	M.C.R. 3925 ✓
Laura Brackeen, et al.,	M.C.R. 3926 ✓
Willet Shannen, et al.,	M.C.R. 3927 ✓
Malinda Malaney, et al.,	M.C.R. 3973 ✓
Susan J. Perkins, et al.,	M.C.R. 3329 ✓
James T. Perkins, et al.,	M.C.R. 3330 ✓
Hannie A. Cross Blodson, et al.,	M.C.R. 3331 ✓
Sallie Homer Morgan, et al.,	M.C.R. 3332 ✓
Sallie Stanley, et al.,	M.C.R. 3343 ✓
Mattie Miranda Justice, et al.,	M.C.R. 3349 ✓
William Shelby Perkins, et al.,	M.C.R. 3350 ✓
Duain Sheb Cross, et al.,	M.C.R. 3351 ✓
Eddie B. Cross,	M.C.R. 3352 ✓
Susan Francis McGlasson, et al.,	M.C.R. 3353 ✓
Hannie F. Gambill, et al.,	M.C.R. 3354 ✓
Hollie W. Cross,	M.C.R. 3355 ✓
Joel A. Shannen, et al.,	M.C.R. 3356 ✓
Laura J. Duncan, et al.,	M.C.R. 3349 ✓
Hosie E. Stanley, et al.,	M.C.R. 3350 ✓
Minnie A. Ashhire, et al.,	M.C.R. 3351 ✓
Hannie F. Akers, et al.,	M.C.R. 3352 ✓
Alton Akers, et al.,	M.C.R. 3353 ✓
Bessie Milford, et al.,	M.C.R. 3354 ✓
Mary L. Creek, et al.,	M.C.R. 3355 ✓
Lillian Bedford, et al.,	M.C.R. 3370 ✓
Roberta I. Coleman, et al.,	M.C.R. 3371 ✓
Jessie Creek Smith, et al.,	M.C.R. 3372 ✓
John W. Creek, et al.,	M.C.R. 3373 ✓
Charles O. Creek, et al.,	M.C.R. 3374 ✓
Walter J. Creek, et al.,	M.C.R. 3375 ✓
Stella W. Schultze,	M.C.R. 3376 ✓
Marvin B. Creek,	M.C.R. 3377 ✓
Tennana Jones,	M.C.R. 3378 ✓

Fannie Long,	M.C.R. 3880 ✓
Thomas J. R. Yates, et al.,	M.C.R. 3881 ✓
Alice I. Compton,	M.C.R. 3882 ✓
James R. Shelton, et al.,	M.C.R. 3883 ✓
Wili J. Shelton,	M.C.R. 3884 ✓
Ethel Pearl Shelton,	M.C.R. 3885 ✓
Irene Thomas, et al.,	M.C.R. 3886 ✓
Florence Carson,	M.C.R. 3887 ✓
Lola A. Marway, et al.,	M.C.R. 3888 ✓
Ada A. Shelton, et al.,	M.C.R. 3889 ✓
Idella Garland, et al.,	M.C.R. 3890 ✓
Maud M. Shippe,	M.C.R. 3891 ✓
James M. Yates,	M.C.R. 3892 ✓
Victor L. McGlassen, et al.,	M.C.R. 3893 ✓
Cora Therese Porter,	M.C.R. 3894 ✓
Cora Estelle Lindsay, et al.,	M.C.R. 3895 ✓
Georgia B. Porter,	M.C.R. 3896 ✓
Johnnie G. Barry, et al.,	M.C.R. 3897 ✓
Marie F. Kidd, et al.,	M.C.R. 3898 ✓
Clarence Greenwood Hilburn,	M.C.R. 3899 ✓
Willetta M. Murphy, et al.,	M.C.R. 3900 ✓
Emma G. Stafford, et al.,	M.C.R. 3901 ✓
Melville Yates, et al.,	M.C.R. 3902 ✓
Walter A. Jones, et al.,	M.C.R. 3903 ✓
Verner D. Jones,	M.C.R. 3904 ✓
Arthur L. Jones, et al.,	M.C.R. 3905 ✓
Herbert I. Jones,	M.C.R. 3906 ✓
Gus B. Shelton,	M.C.R. 3907 ✓
Jack R. Garland, et al.,	M.C.R. 3908 ✓
Nannie L. Garland,	M.C.R. 3912 ✓
Jocella G. Garland,	M.C.R. 3913 ✓
Leda M. Garland,	M.C.R. 3914 ✓
Mary Gertrude Grant,	M.C.R. 3915 ✓
Lusinda A. Johnson, et al.,	M.C.R. 3916 ✓
Joseph R. Johnson,	M.C.R. 3917 ✓
Wirtor R. Garland, et al.,	M.C.R. 3922 ✓
Lamartine R. Latimer, et al.,	M.C.R. 3923 ✓
Homer Murphy, et al.,	M.C.R. 3924 ✓
John W. Murphy, et al.,	M.C.R. 3925 ✓
Jennie B. Tucker, et al.,	M.C.R. 3926 ✓
James M. Yates, Jr., et al.,	M.C.R. 3927 ✓
Napoleon B. Young, et al.,	M.C.R. 3928 ✓
Robert S. Hilburn, et al.,	M.C.R. 3929 ✓
William E. Yates, et al.,	M.C.R. 3930 ✓
Thomas M. Murphy,	M.C.R. 3934 ✓
Thomas S. Young, et al.,	M.C.R. 3971 ✓
William O. Hilburn,	M.C.R. 3972 ✓
Robert Clarence Montgomery,	M.C.R. 3973 ✓
Henry R. Latimer, et al.,	M.C.R. 3974 ✓
Fannie Montgomery, et al.,	M.C.R. 3975 ✓
Harvey O. Jones,	M.C.R. 3976 ✓
Eugene S. Wood,	M.C.R. 3977 ✓
Porter A. Summers,	M.C.R. 3978 ✓
Malcolm W. Forbes,	M.C.R. 3979 ✓

Napoleon W. Young, et al.,	N.C.R., 3980
May E. Bush, et al.,	N.C.R., 3981
Lena O. Strickland, et al.,	N.C.R., 3982
R. Shelton Bywaters,	N.C.R., 3983
Frank E. Wood,	N.C.R., 3984
Alice E. Bywaters, et al.,	N.C.R., 3985
Willie J. Wood,	N.C.R., 3986
Fred F. Wilburn,	N.C.R., 4035
Albert E. Latimer, et al.,	N.C.R., 4102
Fletcher L. Grant,	N.C.R., 4103
Wack F. Latimer, et al.,	N.C.R., 4104
Hauke Montgomery,	N.C.R., 4105
Ola Glyn, et al.,	N.C.R., 4151
James E. Jones, et al.,	N.C.R., 4509
Hardin Ida Timmins, et al.,	N.C.R., 4509

-- DECISION --

It appears from the record herein that applications for identification as Mississippi Chestnuts were made to this Commission by Maggie E. Coleman for herself and her eight minor children, Eva, Ruth A., Gertrude, David A., Maggie L., Elizabeth V., Jennie E. and Shelley Coleman; by Fannie E. Cook for herself and her three minor children, Jim David Shannon, Jeff E. Shannon and Claude Martin; by Laura Brackeen for herself and her five minor children, Wesley Collier, Etta Collier, Harvey Brackeen, Melvin Brackeen and Minnie Brackeen; by Willie Shannon for himself and his minor child, Mary Lee Shannon; by Malinda Maloney for herself and her four minor children, Henry E., Myrtle L., Fannie E. and Jennie E. Maloney; by James J. Perkins for himself and her minor child, Eva E. Perkins; by James T. Perkins for himself and his ten minor children, Arthur, Gertrude, Myrtle, Audrey, Alma, Fannie, Vada, Mary, Vera and Willie T. Perkins; by Fannie A. Green Elston for herself and her four minor children,

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Milton H., Minnie Laura, William A. and Miranda Frances Bloedel; by Nellie Hester Morgan for herself and her five minor children, Marie Cross, Willie Carleton, Florence Rachel, Calvin Miller and James Shelby Morgan; by Nellie Stanley for herself and her minor child, Horace Nelson Stanley; by Nettie Miranda Justice for herself and her two minor children, Nannie Lee and Thomas Shelby Justice; by William Shelby Perkins for himself and his three minor children, Carl, Iris Amy, and Joe Perkins; by Donia Shab Cross for himself and his minor child, Nannie Katherine Cross; by James Shelby Cross for his minor child, Eddie B. Cross; by Susan Francis McGlasson for herself and her two minor children, Clement and Ernest W. McGlasson; by Nannie F. Gumbill for herself and her two minor children, Roger F. and Marie U. Gumbill; by Cera E. Williams for her minor child, Nellie W. Cross; by Joel A. Shannon for himself and his five minor children, Glad W., Ethel, Earl, Clarence and Virgie Shannon; by Laura J. Danson for herself and her six minor children, Winifred J., Viola, Jesse A., Tommy J., Lucile and Cecil Danson; by Jessie E. Stanley for herself and her three minor children, Gail E., Eddie Roy and Sybil W. Stanley; by Minnie A. Ashire for herself and her two minor children, Vera May and Jewel Christine Ashire; by Nannie F. Akers for herself and her two minor children, Essie and Elgin Akers; by Alice Akers for herself and her five minor children, Flossie, Madison H., Lillian H., Nannie H. and Otis Akers; by Bessie Milford for herself and her minor child, Eddie Milford; by Mary L. Creek for herself and her minor child, Mary Creek; by Lillian Bedford for herself and her two minor children, Ruth E. and Mabel J. Bedford; by Roberta I.

Coleman for herself and her eight minor children, Marie H., Smith H. Lillian H., George Robert, Roberta I., Laura, Jack J. and Mildred H. Coleman; by Jessie Creek Smith for herself and her two minor chil-

are, Hugh Earl and Mary Ruth Smith; by John W. Crook for himself
 and his two minor children, Olin L. and Mary Adeline Crook; by
 Charles O. Crook for himself and his two minor children, Harry C.
 and William S. Crook; by Walter J. Crook for himself and his minor
 child, W. Wilson Crook; by Stella W. Schulze for herself; by Marvin
 B. Crook for himself; by Texanna Jones for herself; by Fannie Long
 for herself; by Thomas J. R. Yates for himself and his three minor
 children, Effie Agnes, Tommie O. and Verlianda Gates Yates; by Alice
 I. Compton for herself; by Jesse R. Shelton for himself and his four
 minor children, Myra Jessie, Cora Allen, Annie May and Nina E.
 Shelton; by Eli J. Shelton for himself; by Ethel Pearl Shelton for
 herself; by Irene Thomas for herself and her two minor children, Jess
 O. and Russell F. Thomas; by Florence Carmen for herself; by Lola A.
 Haraway for herself and her two minor children, Georgia and Rachel E.
 Haraway; by Ada Shelton for her three minor children, Ada A., Alva
 and Irma Shelton; by Idella Garland for herself and her minor child,
 Columbus A. Shipe; by Maud E. Shipe for herself; by James M. Yates
 for himself; by Victor L. McClassen for himself and his three minor
 children, Victor L., Jr., Louise and Russell McClassen; by Cora
 Therese Porter for herself; by Cora Estelle Lindsey for herself and
 her three minor children, Leslie F., Robert Porter and Georgia Berry
 Lindsey; by Georgia B. Porter for herself; by Johnnie O. Berry for
 herself and her two minor children, Mary Louise and Russell O. Berry;
 by Marie F. Kidd for herself and her minor child, Johnnie E. Kidd; by
 Clarence Greenwood Hilburn for himself; by Willetta M. Murphy for
 herself and her four minor children, Estelle, Robert, Jessie and Ray
 Shelton Murphy; by Fann G. Stafford for herself and her four minor
 children, Ralph, Grever G., Tura Dew and Nevada Stafford; by Melville

Tates for himself and his three minor children, Mary Alma, Vera and Myra Yates; by Walter A. Jones for himself and his three minor children, Jesse W., Addie May and Margaret Jones; by Verner D. Jones for himself; by Arthur L. Jones for himself and his two minor children, Earl W. and Elsie L. Jones; by Herbert I. Jones for himself; by Gus B. Shelton for himself; by Jack E. Garland for himself and his two minor children, Joe D. and Jennie Louise Garland; by Fannie L. Garland for herself; by Jewell G. Garland for herself; by Leola M. Garland for herself; by Mary Gertrude Grant for herself; by Lucinda A. Johnson for herself and her three minor children, Roberts L., Fred M. and Lucile Johnson; by Joseph R. Johnson for himself; by Joe D. Garland for his two minor children, Virgie R. and Roy P. Garland; by Lemartine R. Latimer for himself and his three minor children, Della H., Lodiene and Gordon L. Latimer; by Emma Murphy for himself and his minor child, Bertrude Murphy; by John W. Murphy for himself and his minor child, Verda L. Murphy; by Jennie B. Tucker for herself and her two minor children, Fannie H. and Addie E. Tucker; by James M. Yates, Jr. for himself and his three minor children, Myrtle, Ethel and Ansell Yates; by Napoleon S. Young for himself and his five minor children, Yon, Nellie, Ethel, Annie and Joe Young; by Robert S. Hilburn for himself and his two minor children, Edward and Mary Hilburn; by William S. Yates for himself and his two minor children, Mary R. and Marion L. Yates; by Thomas M. Murphy for himself; by Thomas S. Young for himself and his six minor children, Della May, Dollie, Grever, Birdie, Jesse and Ollie Young; by William G. Hilburn for himself; by Robert Clarence Montgomery for himself; by Henry R. Latimer for himself and his five minor children, Jessie B., Roscoe H., Raymond G., William Russell and Editha Alarvine

Latimer; by Fannie Montgomery for herself and her three minor children, Burl, Mack and Gladys Montgomery; by Harvey O. Jones for himself; by Eugene S. Wood for himself; by Porter A. Bywaters for himself; by Malcolm W. Farber for himself; by Napoleon W. Young for himself and his two minor children, Oera and Ora Young; by May R. Bush for herself and her two minor children, Mabel L. and John Irvan Bush; by Lena C. Strickland for herself and her four minor children, Ida Rosa, Samuel Irvan, Lina May and Thomas Clyde Strickland; by R. Shelton Bywaters for himself; by Frank E. Wood for himself; by Alice P. Bywaters for herself and her three minor children, Myrie, Hunter and Bernice Bywaters; by Wilsie J. Wood for herself; by Fred F. Milburn for himself; by Albert H. Latimer for himself and his eight minor children, Gladys, Firtle A., Susie, Kate, David H., Leabell, Mamie and Frances Latimer; by Fletcher L. Grant for himself; by Week P. Latimer for himself and his four minor children, Elizabeth, Joseph T., Lucinda, and Therman May Latimer; by Maude Montgomery for herself; by Ola Glyn for herself and her minor child, Bessie H. Glyn; by James T. Jones for himself and his five minor children, Marvin Sanford, Leta, Totay, Tiny and Esther Louise Jones, and by Hardin Ida Timmins for herself and her three minor children, Ethel, Edith and John W. Timmins Jr., under the following provision of the act of Congress approved June 28, 1898 (30 Stat., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between

the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Adam Folsom and Nancy Folsom (or Harris) who are alleged to have been Choctaw Indians (degree of blood not stated), and Rachael (or Rachel, or Rachel Folsom) Shelton (or Schelton, nee Folsom, or Folsom, or Folsom, or Marr, or Harris, alias She-pam-ee, or She-pam-nee), who is alleged to have been a Choctaw Indian (degree of blood not positively stated) and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It is found that the name of one Capt. Adam Folsom appears upon page 64 of Volume 7, American State Papers, Public Lands, in a list of names of Choctaw Indians, heads of families, who resided in Mushulatubbe's District in the territory occupied by the Choctaw Indians in the States of Mississippi and Alabama, at the date of the making of the treaty of "Dancing Rabbit Creek" and had lands in cultivation, in exchange for which they were to receive stipulated tracts of land in accordance with the provisions of the nineteenth article of said treaty; and that the name of Capt. Adam Folsom ap-

pears on page 123 of said Volume in a list of claims allowed under the treaty in Ningo Mushshulatubbee's District as having 640 acres of land; 20 in cultivation and receiving an additional half section as a Captain. The record above referred to in no way relates to article fourteen of the treaty of "Dancing Rabbit Creek," or shows a compliance or attempted compliance on the part of the person therein named with its provisions.

It is also found that the name of She-pan-ee appears on page 184, Volume 1, of Claimant's Brief and Evidence, in the case of the Cheetaw Nation vs. United States before the Court of Claims No. 12742, in a list of Indians, heads of families, contained in the general deposition of Tishomah (or Tishhoma), but there is nothing in the evidence submitted by the applicants herein tending to show that the She-pan-ee (or She-pau-nee) through whom they claim is the identical She-pan-ee whose name appears in the record above cited.

It does not appear from the testimony and evidence offered in support of these applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Adam Folsom or Nancy Folsom (nee Harris) or Rachael (or Rachel, or Rachel Folsom) Shelton (or Schelton, nee Folsom, or Fulsom, or Folsom, or Harr, or Harris, alias She-pan-ee or She-pau-nee) through whom these applicants claim, or

ancestors less remote, or applicant Eli J. Sanders signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Chestaw Agency, an intention to comply with the provisions of said article fourteen or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842, (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff E. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Fannie H. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justice, Fannie Lee Justice, Thomas Shelby Justice, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duais Shob Cross, Fannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Fannie F. Gambill,

Roger M. Gambill, Mamie U. Gambill, Nellie W. Gress, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Essie E. Stanley, Sudie S. Stanley, Eddie Ray Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth W. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles C. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Vieter L. McGlasson, Jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Lealie P. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie W. Kidd, Johnnie K. Kidd, Clarence Greenwood

Hilburn, Willette M. Murphy, Estelle Murphy, Robert Murphy, Jessie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Earl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Hattie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy F. Garland, Lemartine R. Latimer, Belle M. Latimer, Ledwiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, Jr., Myrtle Yates, Ethel Yates, Amell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William H. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe H. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank B. Wood, Alice F. Bywaters, Myrtle Bywaters, Hunter Bywaters, Bernie Bywaters, Elsie

J. Wood, Fred W. Kilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Gusie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Week P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maudie Montgomery, Ola Glyn, Bessie H. Glyn, James T. Jones, Marvin Sanford Jones, Leta Jones, Tetay Jones, Tivy Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[Signature]
Acting Chairman.

T. B. Needles.

Commissioner.

[Signature]
Commissioner.

Muskogee, Indian Territory,

JAN 23 1903

Muskogee, Indian Territory, March 25, 1908

John London,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:-

There is enclosed herewith what purports to be the deposition of Nathan Yannell, with the caption, notary's certificate and notice to the attorneys for the Choctaw and Chickasaw Nations signed by you as attorney for the applicants, thereto attached.

These documents were received by the Commission on this date and are returned to you for the reason that said deposition was not taken in accordance with the rules and regulations adopted by the Commission to the Five Civilized Tribes governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws. A copy of said rules and regulations is enclosed herewith and your attention is directed to sections B, C, D and E of Rule 2, Rule 3 and Rule 4 thereof.

The Commission cannot accept depositions in applications for identification as Mississippi Choctaws, unless they are taken

John London.....

in strict conformity with the above rules.

Yours truly,

Commissioner in Charge.

Enclosure G.H. 77

Enclosure, Rules and Regulations.

M.O.R. 3070

Muskogee, Indian Territory, April 19, 1908.

John London,
Attorney at Law,
Poteau, Indian Territory.

Dear Sir:

Enclosed you will find a commission to take the deposition of Nathan Tanell upon direct and cross-interrogatories thereto attached to be used in evidence in the application of Maggie M. Coleman, et al., for identification as Mississippi Choctaws, pending before the Commission to the Five Civilized Tribes. There are also attached to said commission a caption and certificate which are to be filled out by the officer before whom this deposition is taken.

You are requested to have this deposition taken at as early a date as possible returning same to the Commission in order that the record in this application may be forwarded to the Secretary of the Interior for his consideration.

Yours truly,

Acting Chairman.

CH-148.

1 enclosure.

M.C.R. 3878

M.C.R. 2707

Muskogee, Indian Territory, May 27, 1902.

John London,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:-

The Commission is in receipt of your communication of the 25th inst., enclosing applications to take the depositions of witnesses in the cases of George W. Davis et al., and Maggie M. Coleman, et al., same being supported by the affidavits of the principal applicants, and also the direct interrogatories to be propounded to the witnesses whose depositions it is desired to have taken, and proof of service of copies thereof on Messrs. Mansfield, McMurray and Cornish, attorneys for the Choctaw and Chickasaw Nations. These documents being in proper form have been filed with and made a part of the records in these cases and when the required time has elapsed for the filing of cross interrogatories by the attorneys for the Choctaw and Chickasaw Nations, commissions will be issued for the taking of these depositions and forwarded to you to be placed in the hands of an officer authorized by law to take depositions.

Yours truly,

Acting Chairman

Miss. Choctaw 3876

Muskogee, Indian Territory, May, 26, 1902.

John London,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of evidence of the birth of Shelton Coleman, infant son of D. A. and Maggie Coleman, born February 9, 1902; the affidavits of the mother and the physician at the birth of this child have been accepted as evidence of his birth, and have been filed with and made a part of the original application of his mother for identification as a Mississippi Choctaw.

Yours truly,

Commissioner in Charge.

H.C.R. 3876

Muskogee, Indian Territory, June 10, 1902.

John London,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:-

Enclosed please find a commission to take the deposition of William A. Lewis to be read in evidence in the matter of the application of Maggie M. Coleman, et al., for identification as Mississippi Choctaws before the Commission to the Five Civilized Tribes. You will find attached to said commission direct and cross interrogatories, also a caption and certificate which are to be filled out by the officer before whom this deposition is taken.

Upon receipt of this enclosure you will have same placed in the hands of an officer authorized by law to take depositions and upon the completion of the taking thereof have same returned to the Commission, in order that this case may be brought to an early termination.

Yours truly,

Acting Chairman

Enclosure
G.H. 99

M.C.R. 3578

Muskogee, Indian Territory, August 2, 1902.

John London,
Attorney at Law,
Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th inst., in which you state that "Mrs. Lewis was absent when the Commission to take deposition came, and caused some delay when he came home by being too sick to testify and that you will send in the deposition in the Davis & Coleman cases as soon as he is able to give his testimony."

It is presumed you refer to the consolidated Mississippi Choctaw case of Maggie M. Coleman, et al., the several applicants therein claiming descent from the same common ancestor, Rachel Shelton.

You are advised that you will be allowed until Wednesday, August twentieth, 1902, to furnish the deposition of this witness.

Yours truly,

Acting Chairman.

M.C.T. 3873

Muskogee, Indian Territory, August 2, 1902.

John Landon,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th inst., in which you state that "Mrs. Lewis was absent when the commission to take deposition came, and caused some delay when he came home by being too sick to testify and that you will send in the deposition in the Davis & Coleman cases as soon as he is able to give his testimony."

The Commission does not understand this reference, but it is presumed you refer to the consolidated Mississippi Choctaw case Maggie M. Coleman, et al., the several applicants therein claiming descent from the same common ancestor, Rachel Shelton.

You are advised that you will be allowed until Wednesday, August 20, 1902, to furnish the deposition of this witness.

Yours truly,

Acting Chairman.

3878
M.S.R. 2007.

Muskogee, Indian Territory. August 23, 1903.

John London,

Attorney at Law,

Peterson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22d inst., enclosing the following documents which you offer for filing in support of the several applications included in the consolidated Mississippi Choctaw case of Maggie M. Colman, et al.:

Certified copy of the marriage record between W.J. Creek and Fannie Wilson.

Certified copy of marriage record between Somerville Young and Nancy Jane Goodenough.

Original marriage license and certificate between T.J.R. Tate and Fannie Colman.

Original marriage license and certificate between G.O. Creek and Anna Simpson.

Original marriage license and certificate between J.M. Tate, Jr., and Bettie E. Stafford.

Certified copy of marriage record between Edwin T. Smith and Jennie Creek.

Original marriage license and certificate between W.L. Stafford and H.C. Tate.

Original marriage license and certificate between Homer Murphy and Mary W. Bradley.

Certified copy of marriage record between H.R. Latimer and C.A. Carson.

Original marriage license and certificate between J.R. Garland and Mary S. Brewer.

Original marriage license and certificate between H.M. Murphy and Willitta Tate.

Certified copy of marriage record between D.M.F. Jones and E.T. Long,

Certified copy of marriage record between A.L. Jones and Edna E. Moore,

Original marriage license and certificate between J.A. Tucker and Jennie Belle Murphy,

Original marriage license and certificate between J.W. Murphy and Belle Robinson,

Original marriage license and certificate between James M. Yates and E.C.M. Neilson,

Original marriage license and certificate between W.M. Yates and Mamie J. Stephenson,

Original marriage license and certificate between Melville Yates and Ada Bradley,

Original marriage license and certificate between J.W. Creek and May Neathery,

Original marriage license and certificate between John Schmitze and Stella W. Creek,

Certified copy of marriage record between J.R. Shelton and Ann Scott,

Certified copy of marriage record between T.B.A. Shelton and Ada Steele,

Certified copy of marriage record between W.C. Carson and Florence Compton,

Original marriage license and certificate between Eli J. Shelton and Martha Elizabeth Yates,

Original marriage license and certificate between E.B. Thomas and Irene Compton,

Original marriage license and certificate between S.M. Compton and Alice I. Shelton.

The same have been filed with the record in this case.

Yours truly,

Acting Chairman.

N.O.R. 3878.

Muskogee, Indian Territory, August 27, 1903.

John London,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the following documents offered in support of the several applications included in the consolidated Mississippi Choctaw case of Maggie M. Colman, et al.:

Certified copy of marriage record between W.A. Jones and Florence D. Barker,

Certified copy of marriage record between Harden I. Jones and Adelaide E. Perbe,

Certified copy of marriage record between J.M. Akers and Mary A. Perkins,

Original marriage license and certificate between W.S. Perkins and Orie Boyd,

Certified copy of marriage record between G.M. Stanley and Rosellar Perkins,

Certified copy of marriage record between H.C. Stanley and Sallie Perkins,

Certified copy of marriage record between J.W. Ishaire and Minnie Perkins,

Certified copy of marriage record between R.M. Duncan and Laura J. Perkins,

Certified copy of marriage record between J.T. Perkins and E.M. White,

Original marriage license and certificate between W.S. Cross and Cera E. Hoody,

Certified copy of marriage record between A.H. Latimer and F.L. Maggard,

Certified copy of marriage record between W.F. Latimer and Ida Taylor,

Certified copy of marriage record between W.E. Kidd and Marie F. McGlasson,

Original marriage license and certificate between James F. Brackeen and Lollie Colton,

Certified copy of marriage record between Milton W. Vining and Fannie E. Brackeen,

Original marriage license and certificate between G.V. Martin and Fannie Shannon,

Original marriage certificate between Joel J. Shannon and Fannie E. Vining,

Original marriage license and certificate between James W. Cook and Fanny Martin,

Original marriage license and certificate between Ira A. Perkins and Susan Jane Brackeen,

Original marriage license and certificate between D.S. Cross and Alice Wright,

Original marriage license and certificate between Joe Shannon and Fannie Martin,

Original marriage license and certificate between E.C. McGlasson and Susan F. Cross,

Original marriage license and certificate between C.M. Morgan and Homer S. Cross,

Original marriage license and certificate between Wm. A. Bledsoe and Fannie A. Cross,

Original marriage license and certificate between J.S. Cross and Nancy A. Brackeen,

Original marriage license and certificate between T.F. Justiss and Myra Cross,

The affidavits of Omie Perkins, the mother, and S.A. Street, the attending physician, relative to the birth of Eunice Earl Perkins, infant child of William S. and Omie Perkins, September 1, 1901.

The affidavits of Omie Perkins and S.A. Street to the birth of Eunice Earl Perkins, infant child of William S. and Omie Perkins, are herewith returned you for the reason that at the time the father of the child made application for the identification of himself and his minor children as Mississippi Choctaws, which application was presented to the Commission on August 26, 1901, he

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testified that he was the father of a child named Joe Perkins who was one month old at the time he made application; and it is possible that the date of the birth of the child named in the affidavits, September 1, 1901, is an error.

When properly corrected and returned, the same will receive the consideration of the Commission.

The other documents have been filed with the record in the consolidated Mississippi Choctaw case of Maggie M. Colman, et al.

Yours truly,

Enc. B.I. 64.

Acting Chairman.

Miss. Choctaw 3678

Muskogee, Indian Territory, September 29, 1902.

John London,

Attorney at Law,

Holdenville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 26, in which you state that you are preparing a brief in the matter of the applications of Maggie M. Coleman et al. for identification as Mississippi Choctaws, and will probably want to introduce another witness in the case, and you ask for a continuance, as you are going to Washington on October 4 to examine the records of the land office in this case and will probably not return for two weeks.

In reply to your letter you are advised that in compliance with your request this case has been continued until Monday November 3, 1902, and if, at that time, no further evidence has been introduced, the case will be taken up for consideration and determination on the record already made therein.

Respectfully,

Acting Chairman.

COPY

COMMISSIONERS

HENRY L. DAWES,
TANS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

ALLISON L. AYLESWORTH,
SECRETARY.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3878.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

John London,
Attorney at Law,
Poteau, Indian Territory.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Dunin Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtie Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, B. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamc Dixby.

Acting Chairman.

Registered.

COPY.

M.C.R. 3878

Muskogee, Indian Territory, January 23, 1903.

Maggie M. Coleman,

High, Texas.

Dear Madam:

You are hereby advised that on the 23d day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.	M.C.R. 3878
Fannie E. Cook, et al.	M.C.R. 2925
Laura Brackeen, et al.	M.C.R. 2926
Willet Shannon, et al.	M.C.R. 2927
Malinda Malaney, et al.	M.C.R. 2973
Susan J. Perkins, et al.	M.C.R. 3329
James T. Perkins, et al.	M.C.R. 3330
Nannie A. Cross Bledsoe, et al.	M.C.R. 3331
Sallie Homer Morgan, et al.	M.C.R. 3332
Sallie Stanley, et al.	M.C.R. 3348
Mattie Miranda Justice, et al.	M.C.R. 3349
William Shelby Perkins, et al.	M.C.R. 3350
Duain Shep Cross, et al.	M.C.R. 3351
Eddie B. Cross	M.C.R. 3352
Susan Francis McGlasson, et al.	M.C.R. 3353
Nannie F. Gambill, et al.	M.C.R. 3354
Hellie W. Cross	M.C.R. 3355
Joel A. Shannon, et al.	M.C.R. 3356
Laura J. Duncan, et al.	M.C.R. 3357
Rosie E. Stanley, et al.	M.C.R. 3358
Minnie A. Adshire, et al.	M.C.R. 3359
Nannie F. Akers, et al.	M.C.R. 3360
Alice Akers, et al.	M.C.R. 3361
Bessie Milford, et al.	M.C.R. 3362
Mary L. Crook, et al.	M.C.R. 3363

Lillian Bedford, et al.	M.C.R. 3870
Roberta I. Coleman, et al.	M.C.R. 3871
Jessie Crook Smith, et al.	M.C.R. 3872
John W. Crook, et al.	M.C.R. 3873
Charles O. Crook, et al.	M.C.R. 3874
Walter J. Crook, et al.	M.C.R. 3875
Stella W. Schultze	M.C.R. 3876
Marvin E. Crook	M.C.R. 3877
Texanna Jones	M.C.R. 3878
Fannie Long	M.C.R. 3880
Thomas J. R. Yated, et al.	M.C.R. 3881
Alice I. Compton	M.C.R. 3882
Jesse R. Shelton, et al.	M.C.R. 3883
Eli J. Shelton	M.C.R. 3884
Ethel Pearl Shelton	M.C.R. 3885
Irene Thomas, et al.	M.C.R. 3886
Florence Carson	M.C.R. 3887
Lola A. Haraway, et al.	M.C.R. 3888
Ada A. Shelton, et al.	M.C.R. 3889
Idella Garland, et al.	M.C.R. 3890
Maud M. Shippe	M.C.R. 3891
James M. Yates	M.C.R. 3892
Victor L. McGlasson, et al.	M.C.R. 3893
Gora Therese Porter	M.C.R. 3894
Gora Estelle Lindsay, et al.	M.C.R. 3895
Georgia B. Porter	M.C.R. 3896
Johnnie G. Berry, et al.	M.C.R. 3897
Marie F. Kidd, et al.	M.C.R. 3898
Clarence Greenwood Hilburn	M.C.R. 3899
Willetta M. Murphy, et al.	M.C.R. 3900
Emma G. Stafford, et al.	M.C.R. 3901
Melville Yates, et al.	M.C.R. 3902
Walter A. Jones, et al.	M.C.R. 3903
Verner D. Jones	M.C.R. 3904
Arthur L. Jones, et al.	M.C.R. 3905
Herbert I. Jones	M.C.R. 3906
Gus B. Shelton	M.C.R. 3907
Jack R. Garland, et al.	M.C.R. 3908
Hammie L. Garland	M.C.R. 3912
Joella G. Garland	M.C.R. 3913
Leda M. Garland	M.C.R. 3914
Mary Gertrude Grant	M.C.R. 3915
Lucinda A. Johnson, et al.	M.C.R. 3916
Joseph R. Johnson	M.C.R. 3917
Walter R. Garland, et al.	M.C.R. 3922

Haggie M. Coleman, --3

Lamartine R. Latimer, et al.	M.C.R. 3923
Homer Murphy, et al.	M.C.R. 3924
John W. Murphy, et al.	M.C.R. 3925
Jennie B. Tucker, et al.	M.C.R. 3926
James M. Yates, Jr., et al.	M.C.R. 3927
Napoleon S. Young, et al.	M.C.R. 3928
Robert S. Hilburn, et al.	M.C.R. 3929
William N. Yates, et al.	M.C.R. 3930
Thomas M. Murphy	M.C.R. 3964
Thomas S. Young, et al.	M.C.R. 3971
William O. Hilburn	M.C.R. 3972
Robert Clarence Montgomery	M.C.R. 3973
Henry R. Latimer, et al.	N.C.R. 3974
Fannie Montgomery, et al.	M.C.R. 3975
Harvey O. Jones	M.C.R. 3976
Eugene S. Wood	M.C.R. 3977
Porter A. Bywaters	M.C.R. 3978
Malcolm W. Forbes	M.C.R. 3979
Napoleon W. Young, et al.	M.C.R. 3980
May R. Rush, et al.	M.C.R. 3981
Lena G. Strickland, et al.	M.C.R. 3982
R. Shelton Bywaters	M.C.R. 3983
Frank E. Wood	M.C.R. 3984
Alice P. Bywaters, et al.	M.C.R. 3985
Wilsie J. Wood	M.C.R. 3986
Fred F. Hilburn	M.C.R. 4035
Albert R. Latimer, et al.	M.C.R. 4102
Fletcher L. Grant	M.C.R. 4103
Wook P. Latimer, et al.	M.C.R. 4104
Maudie Montgomery	M.C.R. 4106
Ola Glyn, et al.	M.C.R. 4181
James T. Jones, et al.	M.C.R. 4505
Hardin Ida Timmins, et al.	M.C.R. 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-

Maggie M. Coleman,--4

seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davis A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Colton, Etta Colton, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arthur Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Bena Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McClasson, Clement McClasson, Ernest W. McClasson, Fannie F. Gambill, Roger H. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Torrey J. Duncan, Lucile Duncan, Cecil Duncan, Posie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie P. Akers, Essie Akers, Elgin Akers, Alice Akers, Floesie Akers, Madison M. Akers, Lillian E. Akers, Fannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith E. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2).

Maggie M. Coleman,—5

Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jossie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry S. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin E. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, Jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Adie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine H. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, Jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond O. Latimer, William Russell Latimer, Lillian

Maggie K. Coleman, --6

Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred P. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Shsie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Marnie Latimer, Frances Latimer, Fletcher L. Grant, Week P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sanford Jones, Leta Jones, Totay Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Acting Chairman.

Registered.

COPY.

M.C.R. 3878

Muskogee, Indian Territory, January 23, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 23d day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

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Susan J. Perkins, et al.	M.C.R. 3329
James T. Perkins, et al.	M.C.R. 3330
Nannie A. Cross Bledsoe, et al.	M.C.R. 3331
Sallie Homer Morgan, et al.	M.C.R. 3332
Sallie Stanley, et al.	M.C.R. 3348
Mattie Miranda Justiss, et al.	M.C.R. 3349
William Shelby Perkins, et al.	M.C.R. 3350
Duain Sheb Cross, et al.	M.C.R. 3351
Eddie B. Cross	M.C.R. 3352
Susan Francis McGlasson, et al.	M.C.R. 3353
Nannie F. Gambill, et al.	M.C.R. 3354
Nellie W. Cross	M.C.R. 3355
Joel A. Shannon, et al.	M.C.R. 3356
Laura J. Duncan, et al.	M.C.R. 3349
Rosie E. Stanley, et al.	M.C.R. 3350
Minnie A. Adshire, et al.	M.C.R. 3351
Nannie F. Akers, et al.	M.C.R. 3352
Alice Akers, et al.	M.C.R. 3353

Beattie Milford, et al.	M.C.R. 3854
Mary L. Crook, et al.	M.C.R. 3869
Lillian Bedford, et al.	M.C.R. 3870
Roberta I. Coleman, et al.	M.C.R. 3871
Jessie Crook Smith, et al.	M.C.R. 3872
John W. Crook, et al.	M.C.R. 3873
Charles O. Crook, et al.	M.C.R. 3874
Walter J. Crook, et al.	M.C.R. 3875
Stella W. Schultze	M.C.R. 3876
Marvin B. Crook	M.C.R. 3877
Texanna Jones	M.C.R. 3879
Fannie Long	M.C.R. 3880
Thomas J. R. Yates, et al.	M.C.R. 3881
Alice I. Compton	M.C.R. 3882
Jesse R. Shelton, et al.	M.C.R. 3883
Eli J. Shelton	M.C.R. 3884
Ethel Pearl Shelton	M.C.R. 3885
Irene Thomas, et al.	M.C.R. 3886
Florence Carson	M.C.R. 3887
Lola A. Haraway, et al.	M.C.R. 3888
Ada A. Shelton, et al.	M.C.R. 3889
Idella Garland, et al.	M.C.R. 3890
Maud M. Shippe	M.C.R. 3891
James H. Yates	M.C.R. 3892
Victor L. McGlasson, et al.	M.C.R. 3893
Cora Therese Porter	M.C.R. 3894
Cora Estelle Lindsay, et al.	M.C.R. 3895
Georgia R. Porter	M.C.R. 3896
Johnnie G. Berry, et al.	M.C.R. 3897
Marie F. Kidd, et al.	M.C.R. 3898
Clarence Greenwood Hilburn	M.C.R. 3899
Willotta M. Murphy, et al.	M.C.R. 3900
Emma G. Stafford, et al.	M.C.R. 3901
Melville Yates, et al.	M.C.R. 3902
Walter A. Jones, et al.	M.C.R. 3903
Verner D. Jones	M.C.R. 3904
Arthur L. Jones, et al.	M.C.R. 3905
Herbert I. Jones	M.C.R. 3906
Gus B. Shelton	M.C.R. 3907
Jack R. Garland, et al.	M.C.R. 3908
Nannie L. Garland	M.C.R. 3912
Joella O. Garland	M.C.R. 3913

Leda M. Garland	M.C.R. 3914
Mary Gertrude Grant	M.C.R. 3915
Lucinda A. Johnson, et al.	M.C.R. 3916
Joseph R. Johnson	M.C.R. 3917
Walter R. Garland, et al.	M.C.R. 3922
Lamartine R. Latimer, et al.	M.C.R. 3923
Homer Murphy, et al.	M.C.R. 3924
John W. Murphy, et al.	M.C.R. 3925
Jennie B. Tucker, et al.	M.C.R. 3926
James M. Yates, Jr., et al.	M.C.R. 3927
Napoleon S. Young, et al.	M.C.R. 3928
Robert S. Hilburn, et al.	M.C.R. 3929
William N. Yates, et al.	M.C.R. 3930
Thomas M. Murphy	M.C.R. 3964
Thomas S. Young, et al.	M.C.R. 3971
William C. Hilburn	M.C.R. 3972
Robert Clarence Montgomery	M.C.R. 3973
Henry R. Latimer, et al.	M.C.R. 3974
Fannie Montgomery, et al.	M.C.R. 3975
Harvey O. Jones	M.C.R. 3976
Eugene S. Wood	M.C.R. 3977
Porter A. Bywaters	M.C.R. 3978
Malcolm W. Forbes	M.C.R. 3979
Napoleon W. Young, et al.	M.C.R. 3980
May R. Rush, et al.	M.C.R. 3981
Lena C. Strickland, et al.	M.C.R. 3982
R. Shelton Bywaters	M.C.R. 3983
Frank E. Wood	M.C.R. 3984
Alice P. Bywaters, et al.	M.C.R. 3985
Wilsie J. Wood	M.C.R. 3986
Fred P. Hilburn	M.C.R. 4035
Albert H. Latimer, et al.	M.C.R. 4102
Fletcher L. Grant	M.C.R. 4103
Week P. Latimer, et al.	M.C.R. 4104
Maude Montgomery	M.C.R. 4106
Ola Glyn, et al.	M.C.R. 4151
James T. Jones, et al.	M.C.R. 4505
Hardin Ida Timmins, et al.	M.C.R. 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elisabeth, V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arthur Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Polson Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Torry J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Algin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Beanie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith E. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin E. Crook, Texanna Jones, Fannie

Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie P. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, Jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Winter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, Jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrie Bywaters,

M. MCM. & C.,--6

Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Milburn, Albert H. Latimer, Claude Latimer, Pirtie A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Week P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sanford Jones, Leta Jones, Totay Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tamc Bixby.*

Acting Chairman.

COPY.

Muskogee, Indian Territory, February 9, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Maggie M. Coleman, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of January 23, 1903.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Maggie M. Coleman, et al.,	M.C.R. 3378
Fannie E. Cook, et al.,	M.C.R. 2925
Laura Brackeen, et al.,	M.C.R. 2926
Willet Shannon, et al.,	M.C.R. 2927
Malinda Malaney, et al.,	M.C.R. 2973
Susan J. Perkins, et al.,	M.C.R. 3329
James T. Perkins, et al.,	M.C.R. 3330
Nannie A. Cross Bledsoe, et al.,	M.C.R. 3331
Sallie Homer Morgan, et al.,	M.C.R. 3332
Sallie Stanley, et al.,	M.C.R. 3348
Mattie Mirandas Justiss, et al.,	M.C.R. 3349
William Shelby Perkins, et al.,	M.C.R. 3350
Duain Sheb Cross, et al.,	M.C.R. 3351
Eddie B. Cross,	M.C.R. 3352
Susan Francis McGlasson, et al.,	M.C.R. 3353
Fannie F. Gambill, et al.,	M.C.R. 3354
Hollie W. Cross,	M.C.R. 3355
Joel A. Shannon, et al.,	M.C.R. 3356
Laura J. Duncan, et al.,	M.C.R. 3349
Rosie E. Stanley, et al.,	M.C.R. 3350
Minnie A. Ashire, et al.,	M.C.R. 3351
Fannie F. Akers, et al.,	M.C.R. 3352
Alice Akers, et al.,	M.C.R. 3353
Bessie Milford, et al.,	M.C.R. 3354
Mary L. Creek, et al.,	M.C.R. 3359
Lillian Bedford, et al.,	M.C.R. 3370
Roberta I. Coleman, et al.,	M.C.R. 3371

The Secretary--2.

Jessie Crook Smith, et al.,	M.C.R. 3872
John W. Crook, et al.,	M.C.R. 3873
Charles O. Crook, et al.,	M.C.R. 3874
Walter J. Crook, et al.,	M.C.R. 3875
Stella W. Schultze,	M.C.R. 3876
Marvin B. Crook,	M.C.R. 3877
Texanna Jones,	M.C.R. 3879
Fannie Long,	M.C.R. 3880
Thomas J. E. Yates, et al.,	M.C.R. 3881
Alice I. Compton,	M.C.R. 3882
Jesse R. Shelton, et al.,	M.C.R. 3883
Eli J. Shelton,	M.C.R. 3884
Ethel Pearl Shelton,	M.C.R. 3885
Irene Thomas, et al.,	M.C.R. 3886
Florence Carson,	M.C.R. 3887
Lola A. Haraway, et al.,	M.C.R. 3888
Ada A. Shelton, et al.,	M.C.R. 3889
Idella Garland, et al.,	M.C.R. 3890
Maud M. Shipe,	M.C.R. 3891
James M. Yates,	M.C.R. 3892
Viotor L. McGlasson, et al.,	M.C.R. 3893
Cora Therese Porter,	M.C.R. 3894
Cora Estelle Lindsay, et al.,	M.C.R. 3895
Georgia B. Porter,	M.C.R. 3896
Johnnie G. Berry, et al.,	M.C.R. 3897
Marie F. Kidd, et al.,	M.C.R. 3898
Clarence Greenwood, Hilburn,	M.C.R. 3899
Willette M. Murphy, et al.,	M.C.R. 3900
Emma G. Stafford, et al.,	M.C.R. 3901
Melville Yates, et al.,	M.C.R. 3902
Walter A. Jones, et al.,	M.C.R. 3903
Verner D. Jones,	M.C.R. 3904
Arthur L. Jones, et al.,	M.C.R. 3905
Herbert I. Jones,	M.C.R. 3906
Gus B. Shelton,	M.C.R. 3907
Jack R. Garland, et al.,	M.C.R. 3908
Nannie L. Garland,	M.C.R. 3912
Joella G. Garland,	M.C.R. 3913
Leda M. Garland,	M.C.R. 3914
Mary Gertrude Grant,	M.C.R. 3915
Lucinda A. Johnson, et al.,	M.C.R. 3916
Joseph R. Johnson,	M.C.R. 3917
Walter R. Garland, et al.,	M.C.R. 3922
Lamartine R. Latimer, et al.,	M.C.R. 3923
Homer Murphy, et al.,	M.C.R. 3924
John W. Murphy, et al.,	M.C.R. 3925
Jennie B. Tucker, et al.,	M.C.R. 3926
James M. Yates, Jr., et al.,	M.C.R. 3927
Napoleon S. Young, et al.,	M.C.R. 3928
Robert S. Hilburn, et al.,	M.C.R. 3929
William H. Yates, et al.,	M.C.R. 3930
Thomas M. Murphy,	M.C.R. 3964
Thomas S. Young, et al.,	M.C.R. 3971

The Secretary--3.

William C. Hilburn,	M.C.R. 3972
Robert Clarence Montgomery,	M.C.R. 3973
Henry R. Latimer, et al.,	M.C.R. 3974
Fannie Montgomery, et al.,	M.C.R. 3975
Harvey C. Jones,	M.C.R. 3976
Eugene S. Wood,	M.C.R. 3977
Porter A. Bywaters,	M.C.R. 3978
Malcolm W. Forbes,	M.C.R. 3979
Napoleon W. Young, et al.,	M.C.R. 3980
May R. Rush, et al.,	M.C.R. 3981
Lena C. Strickland, et al.,	M.C.R. 3982
R. Shelton Bywaters,	M.C.R. 3983
Frank E. Wood,	M.C.R. 3984
Alice P. Bywaters, et al.,	M.C.R. 3985
Wilsie J. Wood,	M.C.R. 3986
Fred F. Hilburn,	M.C.R. 4036
Albert H. Latimer, et al.,	M.C.R. 4102
Fletcher L. Grant,	M.C.R. 4103
Week P. Latimer, et al.,	M.C.R. 4104
Maude Montgomery,	M.C.R. 4106
Ola Glyn, et al.,	M.C.R. 4151
James T. Jones, et al.,	M.C.R. 4505
Hardin Ida Timmins, et al.,	M.C.R. 4506.

The Commission has the honor to report that the principal applicants in the several separate applications, their attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Through the
Commissioner of Indian Affairs.

SIGNED,

Tams Dixby.

Enc. M.C.R. 3878.

Acting Chairman.

MUR 3878

COPY.

Muskogee, Indian Territory, November 20, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie M. Coleman, et al.

A copy of Departmental letter of November 6th is herewith enclosed.

Respectfully,

SIGNED

W. O. Weall
Acting Commissioner.

McM 22/1

C O P Y
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

Land
10221-1903.

March 3, 1903.

The Honorable the Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws of the following persons, wherein a decision adverse to the applicants was rendered by the Commission on January 23, 1903:

Maggie M. Coleman, for herself and her eight children, Eva, Ruth A., Gertrude, Davie A., Maggie I., Elizabeth V., Jessie M. and Shelton Coleman; Fannie E. Cook, for herself and her three children, Jim David Shannon, Jeff R. Shannon and Claude Martin; Laura Brackeen, for herself and her five children, Wesley collom, Harvey Brackeen, Melvin Brackeen and Minnie Brackeen; Willet Shannon, for himself and his child Ezra Lee Shannon; Malinda Malaney, for herself and her four minor children, Henry J., Myrtie L., Fannie E. and Nanna E. Malaney; Susan J. Perkins, for herself and child, Ira E. Perkins; James T. Perkins, for himself and his ten children, Arther, Gertrude, Myrtle, Audrey, Alma, Buna, Vada, Lloyd, Vera and Willie D. Perkins; Nannie A. Cross Bledsoe, for herself and her four minor children, Milton S., Minnie Laura, William A. and Miranda Frances Bledsoe; Sallie Homer Morgan for herself and her five minor children, Mamie Cross, Willie Carleton, Florence Rachel, Calvin

Miller and James Shelby Morgan; Sallie Stanley for herself and her child Horace Polson Stanley; Mattie Miranda Justiss, for herself and her two children, Nannie Lee and Thomas Shelby Justiss; William Shelby Perkins, for himself and his three children; Carl, Iris, Amy and Joe Perkins; Dusan Sheb Cross, for himself and his minor child Nannie Katherine Cross; James Shelby Cross, for his minor child Eddie B. Cross; Susan Francis McClasson for herself and her two minor children, Clement and Ernest W. McClasson; Nannie F. Gambill, for herself and her minor children, Roger N. and Mammie U. Gambill; Cora K. Williams, for her minor child, Nellie W. Cross; Joel A. Shannon for himself and his five minor children, Claud W., Ethel, Earl, Clarence and Virgie Shannon; Laura J. Duncan, for herself and her six minor children, Winnifred J., Viola, Jesse A., Tommy J., Lucile and Cecil Duncan; Rosie E. Stanley, for herself and her three minor children, Sudie S., Eddie Roy and Sybil W. Stanley; Minnie A. Adshire, for herself and her two minor children, Nora May and Jewel Christine Adshire; Nannie F. Akers for herself and her two minor children, Essie and Elgin Akers; Alice Akers for herself and her five minor children, Flossie, Madison M., Lillian E., Nannie M. and Otis Akers; Bessie Milford, for herself and her minor child, Eddie Milford; Mary L. Crook, for herself and her minor child, Mary Crook; Lillian Bedford, for herself and her two minor children, Ruth N. and Mabel J. Bedford; Roberts L. Coleman, for herself and her eight minor children, Mamie E., Smith E., Lillian R., George Robert, Roberta I., Laura, Jack J., and Mildred M. Coleman; Jessie Creek Smith for herself and her two minor children, Hugh Earl

and Mary Ruth Smith; John W. Crook, for himself and his two minor children, Olin L. and Mary Adeline Crook; Charles O. Crook, for himself and his two minor children, Harry C. and William S. Crook; Walter J. Crook, for himself and his minor child, W. Wilson Crook; Stella W. Schultze, for herself; Marvin B. Crook; Texanna Jones; Fannie Long for herself; Thomas J. R. Yates, for himself and his three minor children, Effie Agnes, Tormie O., and Verlinda Caten Yates; Alice I. Compton for herself; Jesse R. Shelton for himself and his four children, Myra Jessie, Cora Allen and Annie May and Nina F. Shelton; Eli J. Shelton; Ethel Pearl Shelton; Irene Thomas, for herself and her two minor children, Jesse C. and Bessie F. Thomas; Florence Carson; Lola A. Haraway for herself and her two minor children, Georgia and Rachel E. Haraway; Ada Shelton, for her three minor children, Ada A. Alva and Irma Shelton; Idella Garland, for herself and her minor child, Columbus A. Shipe; Maud M. Shipe; James M. Yates; Victor L. McGlasson, for himself and his three minor children, Victor L., Jr., Louise and Russell McGlasson; Cora Therese Porter, for herself; Cora Estelle Lindsay for herself and her three minor children, Leslie F., Robert Porter and Georgia Berry Lindsay; Georgie B. Porter, for herself; Johnnie G. Berry for herself and her two minor children, Mary Louise and Russell G. Berry; Marie F. Kidd for herself and her minor child, Johnnie K. Kidd;

Clarence Greenwood Hilburn for himself; Willetta M. Murphy for herself and her four children, Estelle, Robert, Josie and Roy Shelton Murphy; Emma G. Stafford, for herself and her four minor children, Ralph, Grover O., Tura Dow and Nevada Stafford; Melville Yates for

himself and his three minor children, Mary Alma, Vera and Myra
 Yates; Walter A. Jones, for himself and his three minor children,
 Jessie W., Addie May, and Earnest Jones; Verner D. Jones, for him-
 self; Arthur L. Jones, for himself and his two minor children,
 Karl W. and Elsie L. Jones; Herbert I. Jones, for himself; Gus B.
 Shelton for himself; Jack R. Garland for himself and his two minor
 children, Joe D. and Jessie Louise Garland; Nannie L. Garland;
 Joella G. Garland; Leda M. Garland; Mary Gerturde Grant; Lucinda
 A. Johnson, for herself and her three minor children, Roberta L.,
 Fred W. and Lucile Johnson; Joseph R. Johnson, for his two minor
 children, Wirtter R. and Roy P. Garland; Lamartine R. Latimer, for him-
 self and his three minor children, Belle M., Lodoiska and Gordon L.
 Latimer; Homer Murphy, for himself and his minor child, Burtrude
 Murphy; John W. Murphy, for himself and his minor child, Verda L.
 Murphy; Jennie B. Tucker, for herself and her two minor children,
 Fannie M. and Addie L. Tucker; James M. Yates, Jr. for himself and
 his three minor children, Myrtle, Ethel and Annell Yates; Napoleon
 S. Young for himself and his five minor children, Van, Nellie, Ethel,
 Annise and Joe Young; Robert S. Hilburn for himself and his two
 minor children, Edward and Mary Hilburn; William N. Yates for him-
 self and his two minor children, Mary R. and Marion L. Yates; Thomas
 J. Murphy; Thomas S. Young for himself and his six minor children,
 Della May, Dollie, Grover, Birdie, Jesse and Ollie Young; William
 C. Hilburn, for himself; Robert Clarence Montgomery, for himself;
 Henry R. Latimer for himself and his five minor children, Jessie B.,

Roscoe N., Raymond C., William Russell and Lillian Alderine Latimer; Fannie Montgomery, for herself and her three minor children, Burl, Mack and Claude Montgomery; Harvey O. Jones; Eugene S. Wood; Porter a Bywaters; Malcolm W. Forbes; Napoleon W. Young, for himself and his two minor children, Cora and Ora Young; May R. Rush, for herself and her two minor children, Mabel L. and John Irvan Rush; Lena C. Strickland, for herself and her four minor children, Ida Rena, Samuel Irvan, Lina Way and Thomas Clyde Strickland; R. Shelton Bywaters; Frank E. Wood; Alice P. Bywaters, for herself and her three minor children, Myrle, Hunter and Bernie Bywaters; Wilsie J. Wood; Fred B. Hilburn; Albert H. Latimer, for himself and his eight children, Claud, Pirtle A., Susie, Kate, David H., Isabell, Mammie and Frances Latimer; Fletcher L. Grant; Weck P. Latimer, for himself and his four minor children, Elisabeth, Joseph T., Lucinda, and Theresa May Latimer; Claude Montgomery; Ola Glynn for herself and her child, Rossie H. Glyn; James T. Jones, for himself and his five minor children, Marvin Sanford, Leta, Totsy, Tiny and Esther Louise Jones, and by Hardin Ida Timmins for herself and her three minor children, Ethel, Edith and John W. Timmins, Jr.

The office has examined the evidence in this case and finds that these applicants claim identification by reason of descent from Rachel Shelton, nee Folsom or Marr or Shepanee or Shepau-nee, who, it is alleged, was a citizen of the Choctaw Nation and resided in Alabama or Mississippi in 1830.

The Commission states in its decision rejecting these applicants that the names of Adam Folsom or Nancy Folsom (nee Marrs)

(6)

or Rachael (or Rachel, or Rachel Folsom) Shelton (or Schalton, nee Folsom, or Fulsom, or Folsam, or Marr, or Marre, alias She-pau-nee or She-pau-nee, or of applicant Eli J. Sanders, complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

A search has been made of the records of this office for the names of Rachel Shelton, nee Folsom, or Marr, or Shepanee or Shepaunee, and Eli J. Sanders, and they are not included in the list of these persons who complied or attempted to comply with the provisions of the 14th article, there were several of that name who came under the provisions of the other articles. The office, therefore, recommends that the decision of the Commission rejecting these applicants be approved.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

E.B.H. W'r.

Refer in reply to the
following:

(COPY)

G.A.W.

DEPARTMENT OF THE INTERIOR

Office of Indian Affairs.

Washington,

October 27, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On June 11, 1903, and August 11, 1903, the office received letters from the Department (I.T.D., 2330-1903), relative to the Mississippi Choctaw case of Maggie W. Coleman et al.

A report of this Office, of March 3, 1903, on this case was not considered to be sufficiently specific as to certain ancestors claimed under by these parties, to wit: Eli J. Shelton, Minerva Yates, Miranda Brackeen, Harry Shelton, Marietta Wilburn, Eliza J. Forbes, Irving Shelton, Lucinda Latimer, and Anna Young.

I am requested to report whether the records of this Office contain any information whatever relating to any of the above named persons, who were children of Rachel Shelton. I am also requested to furnish any information the Office records may contain relative to She-pan-nee, under whom the applicants also claim rights as Choctaws.

An examination of the records of this office has been made with reference to the names of all of the persons above given. The original schedule, which is reproduced on page 184 and other pages of volume 1 of the printed record in the case of the Choctaw Nation against the United States, in the Court of Claims, is on file in this office, and contains the name of She-pan-ee, but no where else

(2)

is the name of this Indian found. It is not shown that she applied to Agent Ward for registration, in accordance with the provisions of the 14th article of the Choctaw treaty of 1830, nor applied to George W. Martin or F. W. Armstrong for registration as a claimant for land under the 14th article or any other article of the Choctaw treaty; nor does her name appear as an emigrant to the Choctaw Nation, West. She did not apply to either of the commissions subsequently appointed, under the acts of 1837 and 1842, who were investigating claims under the 14th article, and she was not a beneficiary under that article.

As to the other persons named, the records of the office do not show the name of Rachel Shelton or any of her children, whose names are given, as members of the Choctaw tribe or as claimants for benefits under any of the provisions of the treaty of 1830.

Very respectfully,

C. P. Larrabee,

Acting Commissioner.

BBH Ma

CMY

JVM

DEPARTMENT OF THE INTERIOR

LLB

WASHINGTON

FD 3430-1908.
14208-1908.
80919-1908.

November 8, 1908.

ERS

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The Department has considered the record in the matter of the application of Maggie M. Coleman et al. for identification as Mississippi Choctaws. The applications embraced under this title number 103, of which 36 are single applications. The other 67 each include the cases of two or more persons.

All of the applicants in this consolidated case, consisting of several generations, claim descent from a Choctaw woman named Mrs. Jessie Shelton, whose maiden name was Rachel Shelton or Marre, who resided in Mississippi about the year 1830. Her Indian name appears as She-pan-ee or She-pau-nee. It is claimed she was the daughter of Adam and Nancy Tolson. Descent is claimed from the said Rachel Shelton through certain of her children whose names are as follows: Eli J. Shelton, Minerva Yates, Miranda Brackeen, Harvey Shelton, Marietta Hilburn, Eliza J. Forbes, Irving (or Irvan) Shelton, Lucinda Latimer, and Anna Young.

The said Eli J. Shelton is himself an applicant.

The original decision of the Commission to the Five Civil-

(2)

ized Tribes in this case was rendered January 23, 1903, in which it was held that none of the applicants are entitled to identification as Mississippi Choctaws.

A report was furnished by the Indian Office March 3, 1903, in the matter, recommending that the decision of the Commission be affirmed. A supplemental report was furnished by the Indian Office October 27, 1903, relative to the ancestors of the applicants. Copies of said reports are inclosed.

It appears that the records of the Indian Office contain the deposition of one Tish-o-mah, taken April 9, before Messrs. Vroom and Barton. This deposition tends to show that a female named She-pan-ee attempted to comply with article 14 of the treaty of September 27, 1830.

The Department has considered the record in this case in connection with said deposition and the records of the Indian Office and finds that the showing made by the applicants is insufficient to establish their claims. Accordingly, the decision of the Commission to the Five Civilized Tribes dated January 23, 1903, refusing to identify the applicants as Mississippi Choctaws is hereby affirmed.

Respectfully,

Thos. Ryan,

2 inclosures.

First Assistant Secretary.

MUR 3878

COPY.

Muskogee, Indian Territory, November 20, 1905.

John London,

Attorney at Law,

Fort Smith, Arkansas.

Dear Sir:

You are hereby notified that on November 8, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie M. Coleman, et al.

A copy of Departmental letter of November 6th is enclosed herewith.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

MUR 3878

MOR 3878

COPY.

Muskogee, Indian Territory, November 20, 1905.

Maggie M. Coleman,
High, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the application made by you for the identification of yourself and eight minor children, Eva, Ruth A., Gertrude, Davie A., Maggie I., Elizabeth V., Jessie M. and Shelton Coleman, as Mississippi Choctaws.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

M C R 3573

Muskegee, Indian Territory, February 15, 1906.

L. D. Horton,
Attorney at Law,
Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 31, 1906, in which you request to be advised if the records of this office show that Adam Folsom, a Choctaw ancestor through whom a family by the name of Shannon claims rights as Mississippi Choctaws complied with the provisions of the 14th article of the treaty of 1830.

In reply you are informed it appears from the records of this office that a number of persons by the name of Shannon are applicants in the consolidated Mississippi Choctaw case of Maggie M. Coleman, et al., in which the decision of the Commission to the Five Civilized Tribes adverse to the applicants, was affirmed by the Secretary of the Interior on November 6, 1905.

A number of the applicants in the above case claimed their rights through one Adam Folsom, an alleged Choctaw Indian.

It is found that the name of one Capt. Adam Folsom appears upon page 64 of Volume 7, American State Papers, Public Lands, in a list of names of Choctaw Indians, heads of families,

L D H 2

who resided in Mushulatubbe's District in the territory occupied by the Choctaw Indians in the States of Mississippi and Alabama, at the date of the making of the treaty of "Dancing Rabbit Creek" and had lands in cultivation, in exchange for which they were to receive stipulated tracts of land in accordance with the provisions of the nineteenth article of said treaty; and that the name of Capt. Adam Folsom appears on page 123 of said Volume in a list of claims allowed under the treaty in Mingo Mushshulatubbee's District as having 640 acres of land; 20 in cultivation and receiving an additional half section as a Captain.

The record above referred to in no way relates to article 14 of the treaty of September 27, 1830, known as the treaty of Dancing Rabbit Creek, or shows a compliance or attempted compliance on the part of the person therein named with its provisions.

Respectfully,

Acting Commissioner.

REFER TO M.C. R. 3878

Maggie McColman
et al

Consolidated Case

Richard Tolson or Tolson
 or Marr or Marrs
 married "Chester"
 Free Shelton w

Minerva Shelton Dead
 married

Page 2

William Bates Dead

Maranda or Miranda Shelton Dead
 married

pages 4, 5, 6, 7

James Brackton Dead

Harry Shelton Dead
 married

Page 7

Mary Carson Latimer Dead

Lucinda Shelton Dead
 married

Page 9

N. R. Latimer Dead

Eli J. Shelton

Pages 9, 10

wife
 Marika A. E. Shelton

Ervin or Ervan Shelton Dead
 wife

Page 10

Annie E. Shelton Dead

Marietta Shelton Dead
 married

Page 10

Francis M. Hilburn

Eli J. Shelton
 married

Page 11

1st Thomas Forbes

2^d — Henderson

Anna Shelton Dead
 married

Page

Andrew L. Young Dead

~~Rachael Tolson or Tulum~~
~~on Harrison Davis~~
~~married "Choctaw"~~
~~Jesse Chilton~~ W

Mirra Sutton Deane
married
William Bates Deane

mb R
3892 James M. Bates 63 -
wife
Elizabeth C. Bates

mb R
3869 Mary L. Bates 60 -
married
1st Robert Jennings Deane
2nd Jesse T. Crook

mb R
3930 William H. Bates 40 -
wife
Marion J. Bates

mb R
3927 James H. Bates & 37 -
wife
Mattie J. Bates

mb R
3870 Lillian Jennings 41 -
married
S. W. Bedford

mb R
3871 Mary L. Jennings 39 -
married
George J. Coleman

mb R
3872 Jessie C. Crook 34
married
Edwin F. Smith

mb R
3873 John W. Crook 33 -
wife
Mary E. Crook

mb R
3874 Charles O. Crook 28 -
wife
Emma E. Crook

mb R
3875 Walter J. Crook 21 -
wife
Jennie Crook

mb R
3930 Mary R. Bates 9
" Marion L. Bates 8

mb R
3927 Myrtle Bates 9
" Ethel Bates 5
" Annette Bates 3

mb R
3870 Ruth R. Bedford 20
" Mabel J. Bedford 16

mb R
3871 Annie E. Coleman 19
" Smith B. Coleman 17
" William R. Coleman 13
" George R. Coleman 11
" Roberta J. Coleman 8
" Lenna Coleman 5
" Jack J. Coleman 3
" Mildred M. Coleman 1

mb R
3872 Hugh E. Smith 14
" Mary Ruth Smith 12

mb R
3873 Olin L. Crook 3
" Mary A. Crook 1

mb R
3874 Harry C. Crook 4
" William T. Crook 4m

mb R
3875 O. Wilson Crook 3

Mary L. Yates 60 -
married
1st Robert Jennings
2^d Jenn C. Leach
cont.

mb R
3879
Juanna or
Elizabeth J Yates 51 -
married
1st Francis M Long Dead
2^d E. M. F. Jones

Mimma Shelton
married Dead
William Yates Dead
cont.

mb R
3900
Willetta M Yates 47 -
married
Mortimore Murphy

mb R
3901
Emma G. Yates 43 -
married
William J Stafford

mb R
3876
Stella Leach 26 -
married
Johannis Schnitzler
mb R
3877
Marvin B Leach 22 -
mb R
3869
Mary Leach 20 -

mb R
3880
Fannie Long 23 -

mb R
3925
John W. Murphy 27 -
wife
Lillie B Murphy
mb R
392
Norma Murphy 23 -
mb R
396
Thomas M. Murphy 24 -
wife

mb R
3925
Verda C Murphy 9 m

mb R
397
Ida Murphy
mb R
397
Jennie B. Murphy 22 -
married
J. A. Tucker
mb R
3900
Estelle Murphy 20
Robert Murphy 15
Josie Murphy 14
Roy C. Murphy 6

mb R
397
Jannie M. Tucker 2
" Addie I. Tucker 3 m

mb R
3901
Ralph Stafford 11
Grover O. Stafford 9
Tura B. Stafford 6
Nevada Stafford 11

Minerva Shelton
married
William Yates Cont. 5

mb R
3881 Thomas R. Yates 44 -
wife
Jannie Yates

mb R
3881 Effie A. Yates 19
" Tommie O. Yates 16
" Verlianda C. Yates 5

mb R
3902 Melville Yates 40 -
wife
Ada Yates

mb R
3902 Mary A. Yates 10
" Vera Yates 7
" Myra Yates 11

mb R
3537 Bessie Perkins 20 1/4
married
George Milford
mb R
3530 Arthur Perkins 20 -
" Gertrude Perkins 17
" Myrtle Perkins 15
" Audrey Perkins 13
" Alma Perkins 11
" Bona Perkins 9
" Vada Perkins 7
" Lloyd Perkins 5
" Vera Perkins 3
" Willie D. Perkins 5 m

mb R
3534 Eddie Milford 19 2

Marianda or
Miranda Shelton
married
James Brackeen

mb R
3329 Susan J. Brackeen 60 1/4
married
Era A. Perkins

mb R
3330 James J. Perkins 43 1/8
wife
Ella Perkins

mb R
3549 Laura J. Perkins 36 -
married
Robert M. Duncan

mb R
3549 Winifred J. Duncan 18
" Viola Duncan 16
" Jesse A. Duncan 14
" Tommy J. Duncan 12
" Lucile Duncan 6
" Cecil Duncan 3

mb R
3550 Rosie E. Perkins 34 -
married
C. M. Stanley

mb R
3550 Edwin E. Stanley 18
" Eddie Roy Stanley 14
" Cyril W. Stanley 5 yrs

mb R
3552 Vannie J. Perkins 32 -
married
Lester J. Akers

mb R
3552 Essie Akers 13
" Elgin Akers 2

Maranda or
 Miranda Shelton
 married
 Jamm. Brackeen
 cont.

Thusan Brackeen 60 1/2
 married
 Ira A Perkins cont.

Jannet E Brackeen 54 1/2
 married
 1st M W Vining Dead
 2nd J. J. Shannon Dead
 3rd J. W. Marten Dead
 4th J. H. Cook

mb 33 1/2
 Callie Perkins 30 -
 married
 Horace Stanley
 mb 33 50
 William Shelby Perkins 28 1/2
 wife
 Omie Perkins

mb 33 1/2
 Alice Perkins 26 1/2
 married
 John W. Atkiss

mb 33 1/2
 Minnie A. Perkins 24 1/2
 married
 John W. Atkiss

mb 33 1/2
 Ora Lee Perkins 18

Mattie Vining
 married
 Jaffers
 mb 33 1/2
 Gert A. Shannon 36 1/2
 wife
 Fannie B. Shannon

mb 33 1/2
 Nannie Shannon 31 1/2
 married
 Robert L. Gambill

mb 33 1/2
 Horace Johnson Stanley 11 m

mb 33 1/2
 Carl Perkins 6
 " Iris Amy Perkins 4
 " Joe Perkins 1

mb 33 1/2
 Florie Atkiss 7
 " Madison Atkiss 6
 " Nannie M. Atkiss 2
 " Otis Atkiss 1 m

mb 33 1/2
 Nora May Atkiss 2
 " Pearl Chapman Atkiss 6 m

mb 33 1/2
 Oland W. Shannon 10
 " Abel Shannon 6
 " Earl Shannon 5
 " Clarence Shannon 5
 " Virgie Shannon 2

mb 33 1/2
 Roger N. Gambill 12
 Nannie W. Gambill 7

no 29
Laura W. Shannon 28
married
1st C. W. Colton Divorced
2^d J. F. Bracken

no 29
Wesley Colton 9
" Etta Colton 7
" Harvey Bracken 5
" Melvin Bracken 3
" Minnie Bracken 11 mo

no 29
Willie Shannon 21 1/8
wife

no 29
Ezra Lee Shannon 2.

Jannie E. Bracken
married
1st M. W. Vining
2^d Joel J. Shannon
3^d G. W. Martain
4th J. W. Cook
Cont 2

Jannie R. Shannon
Alice J. Shannon
married
Golden

no 29
Malinda Shannon 21 1/8
married
Henry Malaney

no 29
Henry J. Malaney 6
" Myrtle L. Malaney 4
" Fannie E. Malaney 3
" Nannie E. Malaney 1 m

no 29
Jim David Shannon 18
" Jeff R. Shannon 14
" Claude Martain 9

no 29
Nannie Heros 39 1/8
married
William A. Bledsoe

no 29
Milton C. Bledsoe 19
" Minnie Laura Bledsoe 15
" William A. Bledsoe 6
" Miranda Francis Bledsoe 5

no 29
Willie Heros Dean
wife
Cora K. Heros
married
William

no 29
Nellie W. Heros

no 29
Tallie Homer Heros 35 1/8
married
Calvin M. Morgan

no 29
Nannie Heros Morgan 11
" Willie Carleton Morgan 9
" Florence Rachel Morgan 7
" Calvin Miller Morgan 5
" James Shelby Morgan 3

no 29
Thos. F. Heros 30 1/8
married
Emmett G. McGlason

no 29
Clement C. McGlason 1
" Ernest W. McGlason 18 mo

Miranda or
Maranda Shelton
married
James Bracken

Nancy A. Bracken
married
James T. Heros

Miranda or
Maranda Shelton
married
James Bracken

Martha A. Bracken Dead
married
James T. Cross

mlb 107
3351 Anam This Cross 26 1/8
wife
this Cross

mlb 107
3351 Hannie Katherine Cross 1

mlb 107
3351 Mattie Miranda Cross 23 1/8
married
Thomas Justin

mlb 107
3351 Hannie Lu Justin 2
Thomas Shelby Justin 10m

mlb 107
3351 Eddie B Cross 14 1/8

Harvey Shelton Dead
married
Mary Susan Letimer
Dead

Mary L. Shelton Dead
married
George M. McGlasson

mlb 107
3389 Victor J. McGlasson 32 -
married
Emma Moore

mlb 107
3389 Victor J. McGlasson Jr 9
" Lenie McGlasson 7
" Russell McGlasson 5

mlb 107
3388 Mary J. McGlasson 32
married
William E. Kidd

mlb 107
3388 Johnnie K. Kidd 12

mlb 107
3391 Johnnie G. Gordon 39 -
married
William B. Dury

mlb 107
3391 Mary L. Dury 11
" Russell G. Dury 12

Cora Heren Shelton 58 -
married
1st John M. Gordon Dead
2nd David D. Porter

mlb 107
3395 Cora E. Porter 29
married
W. H. Lindsay

mlb 107
3395 Leslie J. Lindsay 5
" Robert P. Lindsay 3
" Georgia B. Lindsay 1

mlb 107
3395 Georgia B. Porter 21

mb^R
3908

Jack R. Garland 27-
wife
Mary C. Garland

mb^R
3908

Joe A. Garland 4
" Jessie Linn Garland 17m

mb^R
3912

Nannie L. Garland 26

mb^R
3913

Idella G. Garland 23

mb^R
3918

Ida M. Garland 21

mb^R
3922

Walter R. Garland 20

" Roy P. Garland 9

mb^R
4103

Nelcher L. Grant 33

mb^R
3917

Joseph R. Johnson 22

mb^R
3916

Roberta L. Johnson 20

" Fred M. Johnson 13

" Lucile Johnson 7

mb^R
3923

Belle Latimer 20

" Lodioka Latimer 18

" Gordon L. Latimer 16

mb^R
4102

Elizabeth Latimer 10

" Joseph J. Latimer 6

" Lucinda Latimer 4

" Theresa Latimer 1

mb^R
4107

Claude Latimer 18

" Pottle A. Latimer 16

" Chas. Latimer 13

" Kate Latimer 11

" Harold A. Latimer 6

" Sabul Latimer 3

" Marnie Latimer 1

" Frances Latimer 4m

Jessie C. Latimer 22-
married
Joe R. Garland

mb^R
3915
Mary J. Latimer 51-
married
W. F. Grant

mb^R
3916
Lucinda A. Latimer 43
married
R. R. Johnson

mb^R
3923
Lamartine R. Latimer 51
wife
Isabella G. Latimer

mb^R
4102
Wesley P. Latimer 46
wife
Ida Latimer

mb^R
4107
Albert A. Latimer 41
wife
Jannie L. Latimer

Lucinda Shelton 22-
married
H. R. Latimer 22-11

Lucinda Shelton Dead
married
H.R. Latimer Dead
Cont.

mb R
3974
Hney R. Latimer 41-
wif
Carkine A Latimer

mb R
3974
Jessie B. Latimer 19
" Rose A. Latimer 16
" Raymond C. Latimer 7
" William Russell Latimer 4
" Lillian Alderine Latimer 2

mb R
3884
Eli J. Shelton 78-
wif
Martha A.E. Shelton

mb R
3883
Jessie A. Shelton 51-
wif
Ann Shelton

mb R
3885
Pearl Shelton 24
mb R
3883
Myra Jessie Shelton 20
" Cora Allen Shelton 18
" Annie May Shelton 13
" Nina E. Shelton 11

mb R
3882
Alice J. Shelton 53-
married
C. R. Compton

mb R
3886
Irene Compton 26
married
B B Thomas
mb R
3887
Florence Compton 24
married
W.C. Barron

mb R
3886
Jessie C. Thomas 4
" Berrie J. Thomas 15 m

Thomas B. Shelton Dead
wif
Ada A. Shelton

mb R
3889
Ada Shelton 18
" Alva Shelton 16
" Irma Shelton 12

mb R
3888
Lola A. Shelton 47-
married
J. N. Harraway

mb R
3888
Georgia Harraway 17
" Rachael E. Harraway 14

mb R
3890
Idella Shelton 44-
married
1st C.W. Shippe Dead
2d Garland

mb R
3890
Maud M. Shippe 22
Columbus A. Shippe 20(7)

Eli J. Shelton
Martha F. E. Shelton
Contd.

mb R
3878
Maggie M. Shelton 42-
married
D. A. Coleman

mb R
3878
Eva Coleman 16
" Ruth A. Coleman 15
" Gertrude Coleman 13
" Davis A. Coleman 9
" Maggie D. Coleman 7
" Elizabeth V. Coleman 5
" Jennie M. Coleman 2

Ervin or Ervan
Ervin Shelton Deceased
wife
Annie E. Shelton

mb R
3985
Alice P. Shelton 46-
married
A. H. Bywaters

mb R
3978
Porter A. Bywaters 24
" R. Shelton Bywaters 21
" Myrtle Bywaters 18
" Hunter Bywaters 16
" Bernice Bywaters 9

mb R
3986
Willie J. Shelton 48-
married
M. H. Wood

mb R
3977
Engene T. Wood 26
mb R
3984
Frank E. Wood 23

mb R
3906
Sus B. Shelton 40-
married

mb R
3972
William C. Hilburn 25
mb R
4035
Fred F. Hilburn 23

mb R
3979
Robert T. Hilburn 56-
wife
Nannie J. Hilburn

mb R
3979
Leora Hilburn
" Edward Hilburn 20
" Mary Hilburn 14

Marveta Shelton Deceased
married
Francis M. Hilburn

mb R
3975
Fannie Hilburn 46-
married
T. H. Montgomery

mb R
3973
Robert C. Montgomery 27
mb R
4151
Ola Montgomery 24
married

mb R
4151
Rover H. Glyn 5

mb R
3899
Clarence G. Hilburn 50
wife
Willie Hilburn

mb R
4106
R. T. Glyn
" Claude Montgomery 21
mb R
3975
Paul Montgomery 17
" Mack Montgomery 12
" Claude Montgomery 7

Eliza J. Shelton Dece
 married
 1st Thomas Forbs
 2^d — Anderson

Adelaide E. Forbs Dece
 married
 Hadden J. Jones

 Mel R
 3979
 Malcolm W. Forbs 55-

Mel R
 3982

Lena C. Jones 42 -
 married
 L. E. Chickland

Mel R
 4506

Hadden Oda Jones 38 -
 married
 John W. Timmins

Mel R
 4505

James J. Jones 36 -
 wife
 Julia L. Jones

Mel R
 3903

Walter S. Jones 35 -
 wife
 Florence Jones

Mel R
 3981

Mary R. Jones 31 -
 married
 James Ruck

Mel R
 3905

Arthur L. Jones 30 -
 wife
 Edna E. Jones

Mel R
 3976

Harry O. Jones 27 -
 wife
 Etta E. Jones

Mel R
 3906

Herbert J. Jones 25

Mel R
 3904

Vernon W. Jones 23

Mel R
 3982

Oda Lena Chickland 17
 married
 L. E. Chickland 15
 Lena May Chickland 13
 Thomas Clyde Chickland 9

Mel R
 4506

Ethel Timmins 15
 Edith Timmins 13
 John W. Timmins Jr 10

Mel R
 4505

Marvin Tomford Jones 14
 Leta Jones 12
 Tony Jones 10
 Dinky Jones 8
 Elmer Lawrence Jones 16m

Mel R
 3903

Jesse W. Jones 10
 Addie May Jones 4
 Earnest Jones 1

Mel R
 3981

Mabel L. Ruck 9
 John D. Ruck 2-

Mel R
 3905

Karl W. Jones 6
 Elsie L. Jones 4

Anna Shelton Dean
married
Andrew C. Young Dean

mb R
3928 Napoleon C. Young 59 -
wife
1st Olivia T. Young Dean
2^d Nancy J. Young

mb R
3971 Thomas C. Young 53 -
wife
Rebecca Jane Young

Arville Young 30
mb R
3928 Van Young 19
" Melhi Young 15
" Ethel Young 13
" Annire Young 11
" Joe Young 7

mb R
3980 Napoleon W. Young 33 -
wife
Ella Young
mb R
3980 Ora Young 11
" Ora Young 14

William Thomas Young 31
married
Jessie Harrison
Claude Young 28
Norman Young 23

mb R
3971 Willa May Young 20
" Nellie Young 17
" Grover Young 14
" Birdie Young 12
" Jennie Young 8
" Allie Young 6

Clarence Young
Byron Young
Gracie Young

No. 3878

For Identification as a Mississippi Choctaw.

Date

OCT 29 1901

Name Maggie M. Coleman.

Age 42

Blood Don't know.

Post Office, High, Texas.

Father: Eli J. Shelton, l.

Mother: Elizabeth " l.

Claims through father & husband

W. A. Coleman, w.

No claim for husband

Children:

Eva Coleman, 16

Ruth A, " 15

Gertrude " 13

Davie A " (girl) 9

Maggie J, " 7

Elizabeth V, " 5

Jessie M, girl 2

Claims for self & girls.

Choctaw MCR 3879

Texanna Jones

Jacket Missing

See MCR 3878

MCR 3879

POST OFFICE

Cheneyville, Texas

REFUSED.
MISSISSIPPI CHOCTAW INDIANS.

CARD No.

FIELD NO. 2225

DAWES PAGE NO.	NAME	RELATION- SHIP TO PERSON FIRST NAMED	AGE	SEX	BLOOD	TRIBAL ENROLLMENT		TRIBAL ENROLLMENT OF PARENTS	
						YEAR	NO.	NAME OF FATHER	YEAR
1	W. Yates		51	M	1/4			William Yates	1895
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
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17									
18									

ACTING ATTORNEY GENERAL SECRETARY OF THE INTERIOR

NOV 16 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

NOV 20 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT

NOV 20 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW

AND CHICKSAW NATIONS

NOV 20 1905

THE APPLICATION OF THE SEVERAL PERSONS
HEREIN FOR IDENTIFICATION - AS MISSISSIPPI
CHOCTAWS REFUSED IN THE DECISION IN THE
CASE OF Maggie M. Coleman et al. NOV 20 1905
FORWARDED THE SECRETARY OF THE INTERIOR
FEB 9 1906

Choctaw MCR 3880

Fannie Long

See MCR 3878

MCR 3880

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 20, 1901.

#5200.

In the matter of the application of Fannie Long for
identification as a Mississippi Choctaw.

Applicant represented by John Landon, Attorney.

Fannie Long, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Fannie Long.
Q Long? A Yes sir.
Q Your age is what? A Twenty-three.
Q What is your post office address? A Greenville, Texas.
Q How long have you lived at Greenville? A About six years, I be-
lieve.
Q Where were you born? A In Paris, Lamar County.
Q And have you always lived in Texas? A Yes sir.
Q Is Greenville in Lamar County? A No sir.
Q You removed from Lamar County to what County? A To Fannin County.
Q And then from there to what County? A Hunt.
Q Then did you go to Greenville? A Yes sir, Greenville's in Hunt
County.
Q What is your father's name? A My father's name? Francis Marion
Long, now dead.
Q What is that? A Francis Marion Long.
Q Is he living? A No sir.
Q Is your mother living? A Yes sir.
Q What is her name? A Elizabeth T. Jones.
Q Elizabeth T.? A Yes sir.
Q Jones? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by the Choctaw Tribal
Authorities or the United States Authorities in the Territory?
A She has yesterday.
Q She came before the Commission yesterday? A Yes sir.
Q She never has been enrolled by the Choctaw Tribal Authorities has
she? A No sir.

(2).

- Q She made application for identification yesterday? A Yessir.
- Q Have you proof of the marriage of your mother here now with you? A No sir.
- Q Do you know when and where they were married and by whom? A They were married in 1867, in Lamar County, but I don't know by whom.
- Q Don't remember the date yourself? A Not the month, no sir.
- Q Are you married? A No sir.
- Q You make application for yourself alone do you? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application to the Choctaw Tribal Authorities for citizenship in the Choctaw Nation? A No sir.
- Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made to any authority for enrollment as a Choctaw citizen? A Yes sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming benefits under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand the article? A Yes sir.
- Q Have you heard it read and explained so that you think you understand it thoroughly? A Yes sir, I think I do.
- Q And do you waive a further explanation of it? A I don't think it's necessary.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey, in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q As you have heard it read and explained do you know whether any

(3).

- of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article? A I don't know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q How much Choctaw blood did she have? A I don't know.
- Q What relation was she to you? A Great-grandmother.
- Q You claim through your mother? A Yes sir.
- Q How old is your mother? A Fifty-one.
- Q Where was she born? A In Texas, Lamar County, I think.
- Q She never was in Mississippi? A No sir.
- Q She claims her Choctaw blood through which parent, father or mother? A Mother.
- Q What was her mother's name? A Minerva Yates.
- Q When did she die? A In ninety-----I believe it was in ninety-five.
- Q How old would she be if she were living now? A Eighty-four.
- Q Where was she born? A I don't know.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q Through whom did she claim her Choctaw blood? A Through Rachael Shelton.
- Q Her mother? A yes sir.
- Q Is the name Rachael Shelton the maiden name or married name? A Married name.
- Q Do you know what her maiden name was? A I do not.
- Q Do you know what her father's name was? A No sir.
- Q Or her mother? A No sir, I don't know.
- Q You don't know whether she ever lived in Mississippi or Alabama, or lived in Mississippi in 1830? A No sir.
- Q Did she speak the Choctaw language? A I don't know.
- Q Did she have an Indian name? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know sir.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent that they intended to stay in Mississippi and take land there and become citizens of the United States? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1840? A I don't know.
- Q Did any of them to your knowledge claim or receive any land or any benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know sir.
- Q Did they claim any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A Ask that again please sir.
- Q Did they claim any benefits under any other article of the Treaty of 1830 than Article XIV, or under the supplement of that treaty? A I don't know.
- Q Do you understand what a supplement is in a treaty? A Yes sir.
- Q The treaty of 1830 had such a supplement added to it. A supplement is simply an addition to the number of articles in the original treaty, supplementary articles? You don't know whether any of your ancestors claimed under that do you? A No sir.
- Q I didn't understand you? A No sir.
- Q You don't know whether any of your ancestors claimed under this supplementary part of this treaty or not? A Do you mean whether

(4).

or not they put in application?

Q Any claim under it? A No sir, I do not.

Q There is certain beneficiaries names in Article II and other Articles of this supplementary part of the treaty of 1830. You don't know whether any of your ancestor's names were mentioned here do you? A No sir, I do not.

Q That's what I meant by claiming under the supplementary part. The United States Indian Agent who lived in Mississippi in 1830 was required to make a list of all Choctaw Indians who came before him within six months after the ratification of that treaty and declared their intentions to remain in Mississippi and take land there. He made a list called Ward's Register, but it was a very imperfect list, very incomplete, containing the names of only a fractional part of those Indians who actually did go before him within the time limited in Article XIV of that treaty. This neglect of his caused the land to be taken from a great many Indians who held it in Mississippi and Alabama upon which they had improvements. The Government took them and sold them at Public land sales. This caused so much distress and so many complaints among the Indians that in 1837 Congress appointed a Commission. This Commission went to the State of Mississippi and heard claimants under Article XIV of the Treaty of 1830 and made lists of the names of successful claimants. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to the State of Mississippi and heard claimants under Article XIV of that treaty. Do you know if any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842, and claimed benefits under Article XIV of the Treaty of 1830? A No sir, I do not.

Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian proved his claim before the Commission of 1842 if at the same time it appeared that he had had his land taken from him by the Government, he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates at that time were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government to your knowledge? A No sir, not that I know of.

Q Have you any documentary evidence that you want to introduce now in support of this case? A No sir.

Here Attorney John London asked leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application. Also any other proper evidence within a reasonable time.

Q Do you speak Choctaw? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; medium dark complexion, black eyes and dark brown hair. She does not under-

(5).

stand the Cheate language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830?

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Hal Belford

Subscribed and sworn to before me this 2^d day of January, 1902.

Charles Mitchell Wood

Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. G. R. 3890

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Fannie Long,

Greenville, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine B. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Birby.

Acting Chairman.

Registered.

COPY.

VCR 3880

Muskogee, Indian Territory, November 20, 1905.

Fannie Long,
Greenville, Texas

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by your for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

Name

Fannie Long

Age

23

Blood don't know

Post Office,

Grenville, Texas.

Father:

Francis M. Long, d

Mother:

Elizabeth J. Jones, W.

Claims through

mother

~~Children.~~

Claims for self
alone

Stenographer

Hal Bedford

Choctaw MCR 3881

Thomas J. R. Yates

See MCR 3878

MCR 3881

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 20, 1901.

#3881.

In the matter of the application of Thomas J. R. Yates for the identification of himself and his three minor children, Effie A., Tommie O., and Verlinda C. Yates, as Mississippi Choctaws.

Applicant represented by John Londen, Attorney.

Thomas J. R. Yates, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Thomas J. Yates. Better put an "R" in there.
- Q Where? A T. J. R.
- Q Thomas J. R.? A Yes sir.
- Q What is your age? A Forty-four.
- Q What is your post office address? A Paris, Lamar County, Texas.
- Q What? A Paris, Lamar County, Texas.
- Q How long have you lived there? A All my life.
- Q You were born there were you? A Yes sir.
- Q In Paris or near there? A It's about fifteen miles. Something like that.
- Q What is your father's name? A William Yates.
- Q Is he living? A No sir.
- Q What is your mother's name? A Minerva Yates.
- Q Minerva? A Yessir.
- Q Has she a middle initial? A Not that I know of.
- Q Is she living? A No sir.
- Q Through which parent do you claim Choctaw blood? A My mother.
- Q How much Choctaw blood do you claim? A Well sir, I don't know.
- Q Has your mother ever been recognized in any manner or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A I don't know sir.
- Q When and where were your father and mother married? A I don't know.
- Q Do you know by when, or whether they were married by a minister under a license? A No sir, I do not.
- Q What? A I don't know. I have the record at home.
- Q You haven't it here with you? A No sir.

(2).

- Q You can produce it, I suppose? A I think I can.
Q Are you married? A Yes sir.
Q What is your wife's name? A Fannie Coleman.
Q Well, it is Fannie Yates now isn't it? A Fannie Coleman is who I married.
Q Well, that's her maiden name? A Yes sir, yes sir.
Q Is she an Indian or a white woman? A White.
Q Do you make any claim for her? A No sir.
Q Have you any children under twenty-one years of age and unmarried that you want to make application for? A Three.
Q What is the name of the oldest? A Effie Agnes.
Q What's that? A Effie Agnes.
Q Effie? A Yes sir.
Q How old is she? A She's nineteen years old.
Q Next? A Tommie O.
Q T-o-m-m-i-e? A Yes sir.
Q Tommie O.? A Yes sir.
Q Girl? A Yessir, sixteen years old.
Q Next? A Verlinda Caton.
Q What? A V-e-r-l-i-n-d-a, Verlinda, C-a-t-o-n. C. She's five years old.
Q Five? A Yes sir.
Q Is that all? A Yessir.
Q Is Fannie Yates the mother of these children? A Yes sir.
Q And you are the father? A Yes sir.
Q Have you ever been married before you married her? A No sir.
Q Was she ever married before she married you? A No sir.
Q When and where were you married to her? A Lamar County, Texas.
Q Lamar County, Texas, what date? A January, '22.
Q What day of the month? A 5th day.
Q Fifth day? A Fifth day of the month.
Q Have you your marriage license and certificate with you? A Yes sir.
Q You intend to file it in this case? A Yes sir.
Q Is your name or the names of these children on any of the tribal rolls of the Choctaw Nation in the Indian territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities for yourself or children? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship with your children or membership in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in the Indian Territory? A No sir.
Q Is this the first application for enrollment or citizenship in the Choctaw Nation that you have ever made for yourself and these children, either to the Choctaw Tribal Authorities or the United States Authorities? A Yessir.
Q Do you now come before the Commission for the purpose of identifying yourself and these children as Mississippi Choctaws claiming benefits under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A I think so, I have heard it read several times and explained.
Q Have you heard it read and explained? A Several times, yes sir.
Q Enough so that you think you understand it thoroughly? A Yes sir.

(3).

I think so.

Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained a number of times, do you know if any of your Choctaw ancestors complied or attempted to comply with the provisions of that article of that treaty? A I do not. I don't know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What? A Rachael Shelton.
- Q How much Choctaw blood did she have? A I don't know sir.
- Q Was she a resident of the State of Mississippi or Alabama to your knowledge? A I don't know.
- Q Did she have an Indian name? A I don't know sir.
- Q Did she speak the Choctaw language, or any of her descendants? A I don't know sir that they did.
- Q Do you know anything about her history? A I do not.
- Q Where was she born? A I don't know sir.
- Q Do you know the name of her father and mother? A I do not.
- Q Or when they were born, either of them? A No sir.
- Q Do you know through which parent she claims her Choctaw blood? A No sir, I don't.
- Q You don't know when or where she died? A No sir.
- Q You claim through your mother? A Yes sir.
- Q Minerva Yates. Did she ever live in Mississippi? A No sir, not that I know of.
- Q How old would she be if she were living now? A I don't know that I know.
- Q Don't know where she was born or when? A I don't remember now. I have seen the record of it but I haven't charged my memory with it.
- Q She claimed her Choctaw blood through which parent, father or

(4).

mother? A Her mother.

Q What was her mother's name? A My mother?

Q No, Minerva's mother? A Her name was Rachael Shelton.

Q That is your grandmother then? A Yes sir.

Q On your mother's side? A Yes sir.

Q When did you say she died? A My mother?

Q Yes, Minerva? A My mother died in '95.

Q '95, how old was she at that time? A I don't know sir.

Q Well, she was an old lady, or young? A Yes sir, she was an old lady.

Q Over sixty you think? A Yes sir, I believe so.

Q Where was she living when she died? A She was living in Collingsworth County.

Q You say you saw her frequently? A Well sir, I used to see her frequently before she moved there. She'd been there two or three years when she died.

Q Well, what I want to get at is this: You claim through Rachael Shelton, that is, your mother's mother, your grandmother. Your mother never said anything to you about whether her mother lived in Mississippi? A No sir.

Q Or how much Choctaw blood she had? A No sir, I don't know that I remember.

Q Why was it, do you think that she didn't speak to you more about it? A Well sir, I don't remember. I don't know. It might have been talked in the family in my younger days, I don't know.

Q What I wanted to get at was this? Was there a reluctance to talk about the Indian blood in the family? A Well sir, I don't know that the subject ever came up much at all.

Q Then you know very little about the residence of your grandmother Rachael Shelton? A I don't know anything about it.

Q Whether in Mississippi or Where, or when and where she was born and when and where she died? A I don't know anything at all about it. The older family may know, may have some record of it that I don't know anything about.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know sir.

Q Did any of your Mississippi Choctaw ancestors within six months after the ratification of the Treaty of Dancing Rabbit Creek, go to the United States Indian Agent and signify to him their intention of remaining in Mississippi taking land there and becoming citizens of the United States? A I don't know sir.

Q Did any of your Choctaw ancestors go from either Mississippi or Alabama, that is from the old Choctaw Nation in those two states, to the new Choctaw Nation, Indian Territory, with the other Indians between 1833 and 1838? A I don't know sir.

Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama in the old Choctaw Nation under Article XIV of the Treaty of 1830? A I don't know sir, whether they did or not.

Q Did they claim any benefits or any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know sir.

Q After the 24th day of February, 1831, that is, after the ratification of the Treaty of Dancing Rabbit Creek, it became necessary that all Indians living in the old Choctaw Nation who wanted to stay back there in the old Nation according to the provisions of Article XIV of the Treaty of 1830, should go to the United States Indian Agent and tell him that they wanted to stay in Mississippi and take land there and become citizens of the United States. A

(5).

great many Indians did this. It was the duty of the United States Indian Agent to record the names of all Indians that did so and he made a list called Ward's Register, which contains the names of less than one hundred heads of families who came to him within the time limited by that article and made that declaration or those declarations, but he left off the names of the greater number of Indians who actually did many declarations of intention to stay in Mississippi and take land there under the provisions of Article XIV of that Treaty. This negligence on the part of the United States Indian Agent caused many Indians to lose their land in Mississippi and Alabama, and so many complaints were made among the Indians that finally in 1837 Congress appointed a Commission which went to Mississippi. This Commission heard many claimants under Article XIV and made lists of the names of those who were successful in proving their claims. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to Mississippi and heard claims under Article XIV of that treaty. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842 and claim benefits under Article XIV of that treaty? A I don't know sir.

- Q The Act of Congress approved August 23, 1842 provided that if a Choctaw claimant proved his claim before the Commission of 1842 if it also at the same time appeared in evidence before that Commission that he had had his land taken from him by the Government that he should be entitled to select land either in Alabama, Mississippi, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates were called scrip. Do you know whether any of your Choctaw ancestors received any such scrip from the Government? A I understood that my grandmother did.
- Q Rachael Shelton? A Yes sir.
- Q Have you any evidence of that fact now? A No sir.
- Q You have heard that in the family have you? A Yes sir.
- Q But you don't know much about it? A No sir.
- Q When and where and how or under what circumstances this scrip was issued to her if issued to her? A No sir.

Here John London, Attorney for the applicant asked that leave be granted to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application and to prove if he desires to do so and can that his ancestor received scrip from the Government as a Choctaw Indian under this Act of Congress of August 23, 1842, and for the introduction of any other proper testimony.

- Q Do you speak or understand the Choctaw language? A I do not.

This applicant has the appearance and physical characteristics of being descended from white parentage. Has brown eyes medium dark complexion, brown hair. He does not understand the Choctaw language and has no knowledge of a compliance on the part

(6).

of his ancestors with any of the provisions of Article XIV of the
Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states
that as stenographer to the Commission to the Five Civilized
Tribes he reported in full all the proceedings in the above en-
titled cause on October 30, 1901, and that the above and foregoing
is a full, true and correct transcript of his stenographic notes
in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2 day of January, 1902.

Clara M. Tallwood

Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.B. 3991.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Thomas J. R. Yates,
Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willettta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4085
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earpest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rana Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Registered.

Acting Chairman.

COPY.

MCR 3881

Muskogee, Indian Territory, November 20, 1905.

Thomas J. R. Yates,
Paris, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your three minor children, Effie A., Tommie O. and Verlinda C. Yates, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3881

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

Name Thomas J. R. Yates,

Age 44 - Blood Don't Know,

Post Office, Paris, Tex.,

Father: William Yates, d.

Mother: Minerva " d.

Claims through mother.

wife, Fannie Yates, w
No claim for wife.

Children:

Effie A. Yates, 19

Jennie O. " (sic), 16

Verlinda C. " " 15

Claims for self &
children

Stenographer

Hal Belford

Choctaw MCR 3882

Alice I. Compton

See MCR 3878

MCR 3882

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3882.

In the matter of the application of Alice I. Compton
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Alice I. Compton, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name please? A Alice I. Compton.
Q What is your age? A Fifty-three.
Q What is your post office address? A Roxton, Texas.
Q R-o-x-t-o-n? A Yes sir.
Q How long have you lived there? A Well, I have lived there in
that vicinity all my life, near there. It's in Lamar County.
Q What is your father's name? A Eli J. Shelton.
Q Is he living? A Yes sir.
Q What is your mother's name? A My mother's name is M. A. E. Shel-
ton.
Q Mac? A No sir, Martha Ann Elizabeth.
Q Is she living? A Yes sir, she's living.
Q Through which parent do you claim Choctaw blood? A Through my
father.
Q How much Choctaw blood do you claim? A Uncertain.
Q Has your father ever been recognized as a Choctaw Indian or en-
rolled as a member of that tribe, by either the Choctaw Tribal
Authorities or the United States Authorities in the Indian Terri-
tory? A No.
Q Do you know when and where your father and mother were married?
A They were married in Lamar County, 1846.
Q What day of the month? A Nineteenth day of May.
Q Are you married? A Yes sir.
Q What is your husband's name? A E. E. Compton, Smith E. Compton.
Q What is his nationality? A He's a white man.
Q Do you make any claim for him? A No sir.
Q Have you any children under twenty-one years of age and unmarried
that you want to make application for? A I have not.
Q Claim for yourself alone do you? A Alone.
Q Is your name on any of the tribal rolls of the Choctaw Nation in

(2).

- the Indian Territory? A On none.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A Never.
- Q What? A Never.
- Q Did you ever make application to the Dawes Commission for enrollment as a Choctaw citizen under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities or the Commission to the Five Civilized Tribes, or the United States Court in the Indian Territory? A I have not.
- Q Have you ever before this time made application for membership in the Choctaw Nation to either the Choctaw Tribal Authorities or the United States Authorities? A No.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I think I do.
- Q You have heard it read and explained? A Heard it read and explained.
- Q Do you waive further explanation? A I do.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q After having heard that article read and explained do you know whether any of your Choctaw ancestors complied or attempted to comply with any of its provisions? A Well no, not certainly, I do not.
- Q What is the name of the ancestor through whom you claim? A Rachel Shelton.
- Q How much Choctaw blood did she have if you know? A I don't know for certain.
- Q What relation was she to you? A She was my grandmother.
- Q Your father's mother? A My father's mother.

(3).

- Q Now do you know if she lived in Mississippi or Alabama? A She didn't.
- Q She didn't live there. Do you know anything about her parents? A Yes sir, I know her mother's name.
- Q What was her mother's name? A Her mother's name? My grandmother's mother's name, no sir, I do not.
- Q Rachael Shelton's? A No, I do not.
- Q What was the name of the husband of Rachael Shelton? A He was named Jessie Shelton.
- Q You say she never did live in Mississippi or Alabama? A I don't think she ever did.
- Q Do you know whether her ancestors any of them did? A We have a record that her mother did.
- Q What was her name? A I don't know what her name was. She was a Mrs. Marr.
- Q M-a-r-r? A Yes sir.
- Q Well, did she live in Mississippi or Alabama? A Well, we presume we don't know.
- Q You don't know how much Choctaw blood she had? A Don't know.
- Q Well, did Mrs. Marr live in Mississippi in 1830, or do you know anything about that? A She may have been dead before that time.
- Q You don't know when she did live there? A Her ancestors claim through her-----her descendants.
- Q You claim through your father. How old is he now? A He's seventy eight years old.
- Q Where was he born? A He was born in what was called then the Territory of Arkansas, now near Fort Townsend in this Territory.
- Q Well, I will ask you why there is so much doubt in reference to the Choctaw blood of Rachael Shelton and her ancestors or as to where whereabouts? A Do you want me to answer why I think so?
- A Yes. A Well, I presume it is because of the family pride. I presume so. Such things were not talked of when I was a child, I am an old woman now, but when I was being raised such things were not talked of and that may have been the reason.
- Q Do you think that is the reason in this family? A I suspect it.
- Q Her reluctance to speak of the Indian blood in the family? A I think it would have been very likely not to have been mentioned sir, no matter how much known.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 to your knowledge? A Not to my knowledge.
- Q Did any of them go from Mississippi or Alabama to the Choctaw Nation Indian territory with the other Indians between 1833 and 1835? A I can't answer certainly. I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi and take land there and become citizens of the United States? A I don't know the family history at all.
- Q You don't know whether any of them were heads of families in Mississippi or Alabama in 1830? A I am not posted in the family history in that line. It was never spoken of in our family.
- Q Did any of them ever take or claim any land or receive any land under Article XIV of the Treaty of 1830 or under any other article of that treaty than Article XIV or under the supplement of that treaty? A I presume, though I don't know.
- Q You never heard that they did? A I never heard that they did.

(4).

But I presume they did not.

- Q The Treaty of 1830 was ratified on the 24th day of February 1831. Within six months from that time every Indian who remained in the old Choctaw Nation in Mississippi and Alabama was required to go before the United States Indian Agent, Colonel Ward, and tell him that they wanted to stay in Mississippi and take land there. If they did this they might thereafter at any time remove to the new Choctaw Nation, Indian Territory, and become citizens of that Nation, the Choctaw Nation, and have all the rights of citizenship. They might also if they lived upon that land five years in Mississippi, get a deed or patent of it from the Government. The Indian Agent was required to take down the names of all Indians who came to him making those declarations under that article. He made a list known as Ward's register. It contains the names of a small fractional part of the total number of Choctaw Indians who actually did go before him within six months from the ratification of that treaty and make those declarations of intentions to remain in Mississippi and take land there. The greater portion of Indians who went before him failed to have their names recorded upon any list made by him or any other list. This caused so many complaints among the Indians that in 1837, Congress appointed a Commission. This commission went to Mississippi and heard claimants under Article XIV of the Treaty of Dancing Rabbit Creek. In 1842 another Commission was appointed by Congress for the same purpose and they went to Mississippi and made lists of the names of successful claimants. Do you know whether any of your Choctaw ancestors appeared before either of those two Commissions and claimed benefits under Article XIV of the Treaty of 1830? A There has been something said about it. I have heard something said about it but I hardly know what.
- Q In what way did you hear anything? A Well, I have heard of some scrip being issued to my grandmother, that's all I know. But then we have a little evidence we think about it.
- Q You think you can prove that later? A We think we can. At least we can prove something that points to that, in that way.
- Q The Act of Congress approved August 23, 1842, provided that if a claimant came before that Commission and proved his claim, if it was shown that he had previously had his land taken from him, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, and that scrip should be issued to him to that effect. This scrip that was issued were certificates. Is that the scrip you refer to? A Yes, that's what I referred to I presume. Not knowing likely I might make a mistake, but I know that there was scrip issued. We have a tradition of that kind, or rather a little proof of it.
- Q You think you can prove that later? A We hope to.
- Q Have you any documentary evidence that you wish to put in at this time? A No sir, I have none.

Here John London, Attorney for this applicant, requests leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to present documentary evidence in support of this application which she makes for identification as a Mississippi Choctaw.

(5).

- Q Is there anything further you would like to say? A Well nothing except that I remember my grandmother. I lived during the time that she lived. Our grandmother was very dark, quite a brunette, a very dark brunette.
- Q That is Rachael Shelton? A Rachael Shelton. And she lived a portion of the time at my father's house when I was a little girl. I remember her very distinctly, and she was of a disposition that we always suppose the Indians have. She was inclined to be sensitive and very morose at times, and that's about all I have to say.
- Q What was the color of her eyes? A I think she must have had black eyes. I was too young to notice much.
- Q Do you remember her hair? A It was very dark.
- Q Black? A Yes sir.
- Q Coarse straight hair? A She had straight hair.

By Attorney.

- Q You have seen an Indian. Do you remember whether or not she resembled an Indian? A Well, I didn't think of it at that time. I know she was very dark.
- Q You have also always been told that she had Indian blood in her? A I have always heard it said, but I didn't believe it, didn't want to believe it in those days.
- Q It wasn't considered very reputable at that time to be part Indian? A We didn't want it to be brought out. If it had been so I didn't believe a word of it.

By the Commission.

- Q You don't understand the Choctaw language? A No sir, except a few phrases.

This applicant has the appearance of being descended from mixed ancestry composed largely of white blood. She has traces of Indian blood, dark complexion, dark eyes, hair gray, formerly black. She does not understand the Choctaw language except a few phrases has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2 day of January, 1902.

Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAVES,
TAMM DIXIE,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
N.S.N. 1903.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

Alice I. Compton,
Roxton, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippian Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 3925
Laura Brackeen, et al.,	M C R 3926
Willet Shannon, et al.,	M C R 3927
Malinda Malaney, et al.,	M C R 3973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3831
Sallie Homer Morgan, et al.,	M C R 3832
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W. Cross,	M C R 3855
Joel A. Shannon, et al.,	M C R 3856
Laura J. Duncan, et al.,	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Maryin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Faithie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al .	M C R	3925
Jeunie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamm Richards

Acting Chairman.

Registered.

COPY.

MOR 3882

Muskogee, Indian Territory, November 20, 1905.

Alice I. Compton,
Roxton, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3882

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

Name Alice J. Compton

Age 53 - Blood Don't know.

Post Office, Roxton, Texas,

Father: Eli J. Shelton, b

Mother: Martha A. E. " b.

Claims through father
husband

S. H. Compton, w.
(N.)

No claim for husband

~~Children:~~

claims for self
alone.

Stenographer

Hal Belford

Choctaw MCR 3883

Jesse R. Shelton

See MCR 3878

MCR 3883

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3883.

In the matter of the application of Jesse E. Shelton
for the identification of himself and his four minor children, Myra
J., Cora A., Annie May, and Nina E. Shelton, as Mississippi Choctaws.

Applicant represented by John Landon, Attorney.

Jesse E. Shelton, being first duly sworn, upon his
oath testifies as follows:

Examination by the Commission.

- Q What is the full name? A Shelton, Jesse E.
Q Jesse? A Yes sir.
Q How old are you, Mr. Shelton? A I am fifty-one years old---will
be in a day or two.
Q What is your post office address? A Paris.
Q Texas? A Yes sir.
Q How long have you lived at Paris? A I have lived there nineteen
years.
Q Where did you live before that? A Lived in the County, Lamar
County, Texas.
Q Always lived there? A Yes sir, born there.
Q What is your father's name? A Eli J.
Q Is he living? A Yes sir.
Q What is your mother's name? A Martha Elizabeth. That's the way
her license was issued to her.
Q Well, isn't that the same as Martha A. E.? A Yes sir.
Q Is she living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Claim through
my father.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your father ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by either the Choctaw
Tribal Authorities or the United States Authorities in the Indian
Territory? A No sir.
Q When and where were your father and mother married? They were
married in Lamar County, Texas, in 1846, I think it was in May. I
am not right sure about the day.
Q Have you the evidence of that marriage with you? A Yes sir, I
have.

(2).

- Q you intend to file it? A yes sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Ann.
- Q What is her nationality? A She's an American.
- Q White? A White.
- Q Do you make claim for her? A No sir.
- Q Have you any children under twenty-one years of age and unmarried that you wish to make application for? A Yes sir.
- Q What is the name of the oldest? A Myra Jessie.
- Q Myra? A Yes sir, M-y-r-a, age twenty.
- Q Any other? A Cora Allen.
- Q Cora A.? A Yes sir, her age is eighteen. Annie May we call her both given names, full name, all the time. Age thirteen; and Nina E.
- Q Nina V.? A Nina E., age eleven.
- Q Is that all? A That's all, yes sir. I have an older daughter but she's over twenty-one.
- Q Do you make application for yourself and these children? A Yes-sir.
- Q Is your wife Ann the mother of these children? A yes sir.
- Q And you are the father? A Yes sir.
- Q Were you married before you married her? A No sir.
- Q Was she ever married before she married you? A No sir.
- Q When and where were you married to your wife? A We were married in Red River County, Texas, October 22, 1873.
- Q Have you your license and certificate? A Yes sir, it will be filed with the other papers.
- Q Is your name or the names of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Were you or these children ever admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Did you ever before this time seek to become enrolled as a Choctaw citizen, or seek to get your children enrolled as Choctaw citizens by either the Choctaw Tribal Authorities or the United States Authorities? A No sir.
- Q Do you now come before this Commission for the purpose of being identified and for the purpose of the identification of your children as Mississippi Choctaws under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir, I have had it read and explained to me.
- Q You understand it fully so that you think you don't need another explanation? A No sir, I think not.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signi-

(3).

fying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by Sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you understand that article, having had it read and explained different times, do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A I do not.
- Q What is the name of your ancestor through whom you claim your right now to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation to you was she? A She was my grandmother.
- Q Your father's mother? A Yes sir.
- Q Did you know her? A Yes sir, yes sir, I remember her.
- Q You remember her? A Yes sir.
- Q Was she a Choctaw Indian? A No sir.
- Q Fullblood, half-blood or how much? A I don't know. She was dark complected but I couldn't say how much Indian she was. She didn't look to be much Indian to me.
- Q Well how did she look compared with the other Choctaw Indians that you have seen? A Well, she was dark complected and had dark hair and straight hair, but I don't remember much about her.
- Q Do you remember her eyes? A No sir, I couldn't tell you the color of her eyes.
- Q How old were you when you saw her last? A Why, I guess about ten years old. I am just guessing at it for I don't know exactly.
- Q Where did she die? A Why, she died in Red River County, I think.
- Q Texas? A Yes sir.
- Q When you were about ten? A I think she died afterwards, but I hadn't seen her for sometime before.
- Q Did she ever live in Mississippi or Alabama? A No sir, not to my knowledge.
- Q Did her father or mother? A Not to my knowledge.
- Q Through which parent did she claim Choctaw blood? A Through her mother.
- Q What was her mother's name? A Marr.
- Q Marr? A Yes sir.
- Q M-a-r-r? A Yes sir.
- Q Do you remember the given name? A No sir, I never knew her given name. You mean her mother's name? I never knew it.
- Q You don't know whether her mother, or whether any of her ancestors ever lived in Mississippi or Alabama? A No sir, that's been my

(4).

- understanding, but I never knew.
- Q You understand so in the family? A Yes sir, it has been handed down to me that way.
- Q That some of them lived in Mississippi or Alabama? A Yes sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A Not to my knowledge.
- Q Did any of them go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory, with the other Indians between 1835 and 1838? A No sir, not that I knew of.
- Q Did any of them live in Mississippi or Alabama in 1830 and were heads of families there at that time? A Not to my knowledge.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi and take land there and become citizens of the States? A Not that I knew of.
- Q Did any of your Choctaw ancestors, if you know, claim any land or receive any land in Mississippi or Alabama as beneficiaries under Article XIV of the Treaty of 1830? A Not that I knew of.
- Q Did any of them claim any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that Treaty? A No sir, not that I knew of.
- Q According to the provisions of Article XIV of that treaty of 1830 the United States Indian Agent was required to make a list of the names of all Choctaw Indians who wished to remain in Mississippi and Alabama and who went to him within six months after the ratification of the Treaty of 1830 and told him furthermore that they wanted to become citizens of the United States. The United States Indian Agent made a list which contained the names of a very few of the total number of Indians who complied with those provisions of Article XIV of that treaty. The greater number of names were left off. This caused many Indians who lived in Mississippi and Alabama to lose the land which they had selected and upon which they had improvements. They were taken by the Government and sold. This caused many complaints among the Indians, so that in 1837 by an Act that was approved March 3, of that year, a Commission was appointed by Congress and this Commission went to the State of Mississippi and heard all the claimants that came before it and made lists of the names of successful claimants who had proven their claims under Article XIV before that Commission. In 1842 another Commission was appointed by Congress for the same purpose. This Commission went also to the state of Mississippi and heard claimants under Article XIV and made lists of the names of successful claimants. Do you know if any of your Choctaw ancestors appeared before either of these two Commissions, that of 1837 or the Commission of 1842 and claimed any benefits under Article XIV? A Why, I understand it is a matter of record that one of them-----that there was some scrip issued to our people.
- Q That is a matter of record is it? A Yes sir, I understand so.
- Q You think you can prove that if given reasonable time? A Yes sir we think we can.
- Q You think that this scrip was issued to this ancestor Rachael Shelton under the Act of Congress of August 23, 1842, by the Commission appointed in 1842? A Yes sir, that's our impression and that's where we are making our claim.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which he

(5).

makes for the identification of himself and children as Mississippi Choctaw. Also to introduce proper evidence in proof of the fact that Scrip was issued to one of his ancestors under the Act of Congress of August 23, 1842.

- Q Mr. Shelton, do you talk Choctaw? A No sir.
Q Is there anything more you would like to say in support of this claim? A No sir.

By Attorney.

- Q I would like to have him explain in his own way as to the effect it might have on the standing of the family if it was generally understood that they were Choctaw Indians and tell anything that you may have had said to you in reference to it. And tell anything that you may have had said to you in reference to it.
A My grandmother had an old Negro man that he had owned always, old Uncle Tom, and Uncle Tom talked to the other Negroes and we had another old Negro, old Uncle Moses, and Uncle Moses and I had charge of father's business during the War. I was a boy about ten or twelve years old and he was with me all the time and we looked after the stock, and had considerable stock interests at that time and one day while we were resting at noon he became communicative to me and told me that my grandmother had Indian blood in her. It made me very indignant, and he said that Uncle Tom told him. Said that Uncle Tom told him and said it was a great secret and I mustn't tell anybody because it would do the family harm and my father wouldn't like it. And I have guarded it as a secret very carefully.

By the Commission.

- Q Well, this reticence in the family because of a strain of Indian blood is caused the doubt has it that exists in the minds of a good many applicants now as to where the family were born?
A Yes sir, our family history is not known. My grandfather became wealthy and raised his family up to a pretty high grade, and he didn't want to have any Indian in it.
Q Alice I. Compton is your sister, isn't she? A Yes sir.
Q Mary L. Crook, Lillian Bedford, Roberta I. Coleman, Jessie C. Smith, John W. Crook, Charles O. Crook, Walter J. Crook, Stella W. Schulz, Marvin B. Crook, Maggie H. Coleman, Texannah Jones, Fannie Long, Thomas J. R. Yates and Alice I. Compton are all relatives of yours?
A Yes sir.
Q And claim through the same ancestor? A Yes sir.

All cases where claimants claim through the same common ancestor will be considered together in order that the testimony of one may be assisted by the testimony of the others.

(6).

Q Your sister has quite the appearance of having Cheetaw blood but you don't show so much? A No sir. One of my sisters yesterday Mrs. Coleman.

This applicant has the appearance and physical characteristics of being descended from white parentage. He has blue eyes medium dark complexion, gray hair, formerly black. His appearance does not indicate very much Cheetaw blood. His sister, Alice I. Compton who appeared on the above date for identification has the appearance of having Cheetaw blood. Also his sister, Maggie Coleman who appeared for identification before the Commission October 29, has the appearance of having Cheetaw blood. He does not understand the Cheetaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford

Charlton Hall
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.O.R. 3443.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Jeane R. Shelton,
Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Colloim, Etta Colloim, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie G. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGN) *Tame Bixby.*

Registered.

Acting Chairman.

COPY.

MCR 3883

Muskogee, Indian Territory, November 20, 1905.

Jesse R. Shelton,
Paris, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your four minor children, Myra J., Cora A., Annie May, and Nina E. Shelton, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3883

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

Name Jesse R. Shelton.

Age 51 - Blood Don't know.

Post Office, Paris, Texas.

Father: Eli J. Shelton, l.

Mother: Maudie A.C. " l.

Claims through father,
wife.

Ann — w.

No claim for wife.

Children:

Myra J. Shelton	20
Ella A. "	18
Annie May "	13
Nina E. "	11

Claims for only 2
children —

Choctaw MCR 3884

Eli J. Shelton

See MCR 3878

MCR 3884

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

In the matter of the application of Eli J. Shelton for
identification as a Mississippi Choctaw. M. C. R. 3884.

Applicant represented by John London, Attorney.

Eli J. Shelton, having been re-called to testify in
the above entitled cause, and being first duly sworn, testifies as
follows:

Examination by Attorney.

- Q Now Mr. Shelton, you told me yesterday that your mother's brother
came on here at one time to see her in reference to an estate
somewhere and you thought possibly it might be in reference to
this scrip, this Indian scrip or certificate. I wish you would
state what you know about it. A I don't know of any other busi-
ness. I never knew what it was then, only in connection with some
estate, but hearing of this scrip I thought probably it was in
connection with it, but don't know it to be so.
- Q He came from where? Do you know where he came from? A Yes, he
came from where we lived down here in Arkansas.
- Q He came to see her about some estate? A Yes sir.
- Q You don't know what estate? A No, I do not.
- Q You only suppose that it might be about this Indian estate. A I
didn't think even that until I heard of that scrip, and then I
supposed it was in connection with the scrip. I don't know.
- Q Have you ever heard whether he got anything out of that? A I
don't know whether he did or not.

Witness excused.

Hal Belford, being first duly sworn, upon his oath states
that as stenographer to the Commission to the Five Civilized
Tribes he reported in full all the proceedings in the above en-
titled cause on October 30, 1901, and that the above and foregoing
is a full, true and correct transcript of his stenographic notes
in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 14 day of January, 1902.

Hal Belford

Clara M. Willard

Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

In the matter of the application of Eli J. Shelton for identification as a Mississippi Choctaw. M. C. R. 3884.

Applicant represented by John London, Attorney.

Eli J. Shelton, having been re-called to testify in the above entitled cause, and being first duly sworn, testifies as follows:

Examination by Attorney.

- Q Now Mr. Shelton, you told me yesterday that your mother's brother came on here at one time to see her in reference to an estate somewhere and you thought possibly it might be in reference to this scrip, this Indian scrip or certificate. I wish you would state what you know about it. A I don't know of any other business. I never knew what it was then, only in connection with some estate, but hearing of this scrip I thought probably it was in connection with it, but don't know it to be so.
- Q He came from where? Do you know where he came from? A Yes, he came from where we lived down here in Arkansas.
- Q He came to see her about some estate? A Yes sir.
- Q You don't know what estate? A No, I do not.
- Q You only suppose that it might be about this Indian estate. A I didn't think even that until I heard of that scrip, and then I supposed it was in connection with the scrip. I don't know.
- Q Have you ever heard whether he got anything out of that? A I don't know whether he did or not.

Witness excused.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 1st day of January, 1902.

Hal Belford
Notary Public
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

In the matter of the application of Eli J. Shelton for
identification as a Mississippi Choctaw, N. C. R. 3384.

Applicant represented by John London, Attorney.

Eli J. Shelton, having been re-called to testify in
the above entitled cause, and being first duly sworn, testifies as
follows:

Examination by Attorney.

- Q Now Mr. Shelton, you told me yesterday that your mother's brother
came on here at one time to see her in reference to an estate
somewhere and you thought possibly it might be in reference to
this scrip, this Indian scrip or certificate. I wish you would
state what you know about it. A I don't know of any other busi-
ness. I never knew what it was then, only in connection with some
estate, but hearing of this scrip I thought probably it was in
connection with it, but don't know it to be so.
- Q He came from where? Do you know where he came from? A Yes, he
came from where we lived down here in Arkansas.
- Q He came to see her about some estate? A Yes sir.
- Q You don't know what estate? A No, I do not.
- Q You only suppose that it might be about this Indian estate. A I
didn't think even that until I heard of that scrip, and then I
supposed it was in connection with the scrip. I don't know.
- Q Have you ever heard whether he got anything out of that? A I
don't know whether he did or not.

Witness excused.

Hal Belford, being first duly sworn, upon his oath states
that as stenographer to the Commission to the Five Civilized
Tribes he reported in full all the proceedings in the above en-
titled cause on October 30, 1901, and that the above and foregoing
is a full, true and correct transcript of his stenographic notes
in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford

Clayton H. Wood
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Alaska, Indian Territory, October 30, 1901.

#3884.

In the matter of the application of Eli J. Shelton for
identification as a Mississippi Cheetaw.

Applicant represented by John London, Attorney.

Eli J. Shelton, being first duly sworn, upon his oath
testifies as follows.

Examination by the Commission.

- Q What is your name? A Eli J. Shelton.
Q What is your age? A Seventy-eight.
Q What is your post office address? A High, Texas.
Q How long have you lived there, Mr. Shelton? A I have lived there
in that country sixty-----let me see, sixty-four years-----no, I
come there in '37, yes, what's that?
Q Where were you born? A I was born down here in what is now the
Cheetaw Nation. It was in Arkansas Territory.
Q What is your father's name? A Jesse Shelton.
Q Is he dead? A Yes sir.
Q Is your mother dead? A Yes sir.
Q What was her name? A Rachael Marr.
Q Well, that's her maiden name isn't it? A Yes, that's her maiden
name. Rachael Shelton.
Q It was Rachael Marr? A Was her maiden name.
Q M-a-rr? A I think so, yes sir.
Q Or M-a-rr-a? A M-a-rr-a.
Q Through which parent do you claim Cheetaw blood? A Through her.
Q How much Cheetaw blood do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a
Cheetaw Indian by the Cheetaw Tribal Authorities or the United
States Authorities? A I don't know.
Q Have you the proof of the marriage of your father and mother?
A We have the family record, is all.
Q You have that have you? A I have had it but I haven't it now. I
remember it.
Q Reasonable time will be given any way for you to attempt to estab-
lish that by documentary proof. Are you married? A Yes sir.
Q Wife living now? A Yes sir.
Q What is her name? A M. A. E. are her initials.

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- Q That is for Martha? A Martha A. E.
Q What is her nationality? Is she white? A White.
Q Do you make claim for her? A No sir.
Q Have you any children under twenty-one years of age and unmarried?
A No sir.
Q Do you make application for yourself alone? A Alone.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't know.
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation? A No sir.
Q By either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Is this the first application of any kind that you have ever made for citizenship in the Choctaw Nation either to the Choctaw Tribal Authorities or the United States Authorities? A Yes sir.
Q Do you now come before the Commission to be identified as a Mississippi Choctaw claiming under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A I heard it read yesterday.
Q You heard it read? A Yes sir.
Q Would you like to have it read and explained to you now? A I think I understand it.
Q You don't care to have it explained then now? A No sir.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

(3).

- Q Now Mr Shelton, as you have heard it read and explained, do you know whether your mother or any of your ancestors ever complied with that article of that treaty? A I do not.
- Q You claim through your mother, Rachael Shelton, do you? A Yes sir.
- Q Through which of her parents did she claim Choctaw blood? A I don't know.
- Q Through her mother or father? A Did my mother claim blood?
- Q Yes, through her mother or father? A I don't know.
- Q What was her father's name? A I don't know.
- Q What was her mother's name? A I don't know. I suppose my father was named Marrs. Her name was Marrs but I don't know anything beyond that.
- Q You don't know the given name? A No sir.
- Q Did any of them ever live in Mississippi or Alabama? A I don't know.
- Q You never heard they did? A No sir.
- Q How much Choctaw blood did your mother have? A I don't know.
- Q Did you hear that she had Choctaw blood? A I have heard it, yes sir.
- Q Did she tell you so? A No sir.
- Q How old would she be if she were living now? A She was born---- she would be-----she would be over a hundred years old. I don't remember her exact age. Be over a hundred years old.
- Q You will be able to show that by the records you will put in here? A Yes sir, we have the record of her birth.
- Q Did she speak the Choctaw language? A No sir.
- Q Did her father or mother? A Not that I know of.
- Q Did she have an Indian name? A No, not that I know of.
- Q What was her personal appearance. How did she look compared with other Choctaw Indians that you have seen? A She was-----her skin was dark, her hair wasn't as dark as some of the Choctaws, but it was dark.
- Q Straight and black or straight and dark? A Straight and dark, yes sir.
- Q How were her eyes? A I think her eyes were lighter than Choctaws generally are.
- Q What was their color? A I would say that they were blue or dark blue. I am not positive about that. It's a thing that I never tried to remember. It's been very long, and my impression is they were dark. I can't say exactly what color.
- Q You don't know whether they were blue or black? A No sir.
- Q You can't remember that? A No sir.
- Q Did she look like a Choctaw Indian or part Choctaw to you? A To some extent, yes sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the New Choctaw Nation here in the Territory between 1833 and 1838 with the other Indians? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent, Colonel Ward, that they intended to stay in Mississippi and take land there? A I don't know.
- Q Where were you born? A I was born down here in Arkansas Territory. It's in the Choctaw Nation now, below Fort Townsend.
- Q You never lived in Mississippi then? A No sir.
- Q Did you ever hear of the Treaty of Dancing Rabbit Creek, the

(4).

- Treaty of 1830? A No sir.
- Q What was your father's name? A Jesse Shelton.
- Q Where was he born? A I don't know. I think in Kentucky.
- Q Do you know when? A Yes, we have the family record.
- Q What was his occupation? A Well, as long as I can remember he was engaged in the Indian Territory here, trading and subsisting the Indians.
- Q When was that? A That was about '30 or '31.
- Q 30, or '31? A Well, after they had moved to the nation here.
- Q That is after they had come from the old Choctaw Nation to this Territory under Article XIV or under the Treaty of 1830? A My understanding is that when they moved he was engaged in moving them, and we think that he had a contract with the Government to subsist them for a number of years, and he was engaged in that business.
- Q And his name was what? A Jesse Shelton.
- Q Jesse Shelton? A Yes sir.
- Q Well, now as he was a contractor at that time, engaged in furnishing provisions I suppose and supplies to the Choctaw Indians and to the Government for them in their removal here, do you know whether he went to Mississippi or Alabama? A I do not.
- Q Or whether he stayed here all the time in this Nation. A Well, he was going back and forth all the while.
- Q Going back and forth from Mississippi? A Mississippi and other places, getting up supplies.
- Q And how long was he engaged in this business? A I think two or three years. I was only seven years old and I can't be definite in my understanding of such things.
- Q Well, is it a matter of family history that while he was engaged in doing this for the Choctaw Indians he met his wife whose name was Rachael Marrs, and who was a member of that tribe at that time? A I don't know.
- Q You don't know about that? A No.
- Q Did you ever hear him say that his wife had Choctaw blood? A I don't know.
- Q Did any of your ancestors own any land or claim any under Article XIV of the Treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors claim any land or any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q The United States Indian Agent, Colonel Ward, did you ever hear of him? A No sir, I don't remember.
- Q He lived in Mississippi in 1830 and he was required to make a list of the names of all Choctaw Indians who came to him within six months after the ratification of that treaty of 1830 and told him that they wanted to live in Mississippi, they didn't want to go to the Choctaw Nation in the Territory. He should have put the names of all those Indians down on his list of those that did that, complied with Article XIV, but he recorded the names of only a few of the total number of Indians who made those declarations to him within six months time after the ratification of the treaty. This negligence caused hundreds and perhaps thousands of the names of Indians to be left off his list, and they received no benefits back there in Mississippi at all. They were put off of the land. They made a great many complaints to the Government and finally in 1837 Congress appointed a Commission. The Commission went down to the State of Mississippi and heard claimants under Article XIV of that treaty. In 1842 another Commission was

(5).

appointed by Congress and they went down there for that purpose and heard claimants under Article XIV of that Treaty. Did your mother or her father or mother or any of your ancestors go before either of those two Commissions and claim benefits under Article XIV of that Treaty? A I don't know.

Q Did you ever hear that your mother, Rachael Shelton ever received any scrip from the United States Government as a Choctaw Indian? A Not until recently.

Q You heard so lately? A Yes sir.

Q Did she get it-----did she get that scrip under Act of Congress approved August 23, 1842, do you know? A I don't know.

Q Have you any documentary evidence you want to present now? A No sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to introduce documentary evidence in support of this application, also to prove if possible the fact that any of his ancestors received scrip from the Government as Choctaw Indians.

Q Anything more you want to say? A I believe not sir.

Q You don't understand the Choctaw language do you? A I did when I was a boy

Q Can you speak it now? A I know some words and phrases. When I was a boy my father was trading back and forth and I was with him and I picked up a good deal of Choctaw.

This applicant has the appearance and physical characteristics of being descended from white parentage except he has dark skin, his whiskers are gray showing traces of dark, formerly black hair and whiskers, and blue eyes. He does not understand the Choctaw language except a few phrases and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830, except that it is a matter of family history and tradition that his mother, Rachael Shelton received scrip from the United States Government as a Choctaw Indian.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings in the above entitled cause and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October 30, 1901.

Subscribed and sworn to before me this 2nd day of January, 1902.

Hal Belford
Clara M. Belford
Notary Public.

COPY

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
H. O. R. 3884.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

El J. Shelton,

High, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3829
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3831
Sallie Homer Morgan, et al.,	M C R 3832
Sallie Stanley, et al.,	M C R 3848
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W Cross,	M C R 3855
Joel A. Shannon, et al.	M C R 3856
Laura J. Duncan, et al.	M C R 3849
Rosie E. Stanley, et al.,	M C R 3850
Minnie A. Adshire, et al.,	M C R 3851
Nannie F. Akers, et al.,	M C R 3852
Alice Akers, et al.,	M C R 3853
Bessie Milford, et al.,	M C R 3854
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

COPY.

MCR 3884

Muskogee, Indian Territory, November 20, 1905.

Eli J. Shelton,
High, Texas

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3884

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Eli J. Shelton

Age 78 Blood ~~Don't know~~ Known.

Post Office, Hockley, Texas,

Father: Jesse Shelton, d

Mother: Rachare " d

Claims through mother -
wife. Martha A. E. Shelton, w.
No claim for wife -

~~Signature~~

Claims for self
alone -

Stenographer

W. C. Belford

Choctaw MCR 3885

Pearl Shelton

See MCR 3878

MCR 3885

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3885.

In the matter of the application of E. Pearl Shelton
for identification as a Mississippi Choctaw.

Applicant represented by John Lenden, Attorney.

E. Pearl Shelton, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Why Ethel Pearl is my name. I always go by the name of Pearl. I suppose E. Pearl Shelton.
- Q What is your age? A Twenty-four last month.
- Q What is your post office address? A Paris, Texas.
- Q How long have you lived at Paris? A I have lived near Paris all my life. I was born in Lamar County. I have lived in Paris about twenty years.
- Q And have lived in that County all your life? Born there? A Yes sir.
- Q What is your father's name? A Jesse R. Shelton.
- Q He came before the Commission to-day, did he not, October 30, to be identified? A Yes sir.
- Q What is your mother's name? A Ann E. Shelton. Ann Elisabeth is her name.
- Q Is she living? A Yes.
- Q Through which parent do you claim Choctaw blood? A My father.
- Q How much Choctaw blood do you claim? A I don't know.
- Q You never investigated that? A No sir.
- Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A No sir, he has not.
- Q When and where were your father and mother married? A In Red River County, Texas.
- Q Do you know what date? A October 22, 1873.
- Q Have you proof of their marriage with you? A Yes.
- Q What is your husband's name? A I haven't any.
- Q You claim for yourself alone then? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No.
- Q Didn't you five years ago? A No.

(2).

- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No.
- Q Have you ever before this time tried to become a citizen of the Choctaw Tribe of Indians by making application to the Choctaw Tribal Authorities in the Indian Territory? A No sir.
- Q Have you ever before this time made application to any authority whatever for citizenship in the Choctaw Nation? A No sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the lands of the Choctaw Nation, Indian Territory, under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes.
- Q Can you tell me all about that Article XIV of the Treaty of 1830? A Can I tell you?
- Q Do you understand that article of that treaty? A Yes sir, I do.
- Q Have you heard it, or heard it read and explained? A Yes sir, I have heard it.
- Q Do you care to have it explained to you now? A No.
- Q Do you think you understand it? A Yes sir.
- Q You waive the explanation? A Yes sir.
- Q Article XIV of the Treaty of Dancing Rabbit Creek, reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this Article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained, that article of that treaty, do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of the article as read to you and explained? A I do not.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q How much Choctaw blood did she have? A I don't know.
- Q Where was she born? A I don't know.
- Q Where did she die? A I don't know.

(3).

- Q Da you know how long ago? A How long since she died?
- Q Yes? A Why no, I don't know.
- Q You don't know how old she would be if she were living now? A No.
- Q Did you ever hear that she ever lived in Mississippi or Alabama?
- A Never did.
- Q Or if any of her people did. Her ancestors. Her father or mother or grandfather or grandmother? A No.
- Q Did you never hear anything in the family as a matter of History and tradition, that she or any of her ancestors lived in the Choctaw Nation. In the old Choctaw Nation? A No.
- Q Did she speak the Choctaw language, did you ever hear? A I don't know. I never heard.
- Q What was her personal appearance if you know? A Why I only know from hearsay, that she was dark, had dark complexion and black hair.
- Q You claim through your father? A Yes.
- Q He made application hereto-day did he not for identification?
- A Yes.
- Q He claims his Choctaw blood through which parent, father or mother? A Through his father.
- Q And his name was what? A Eli J. Shelton.
- Q Did he ever live in Mississippi or Alabama, Eli J.? A No sir.
- Q Where was he born, do you know? A He was born in what is now the Choctaw Nation I think. It was then Arkansas.
- Q How old is he now? A Seventy-eight years old.
- Q He appeared also before this Commission to-day, did he not on October 30, for identification as a Mississippi Choctaw? A Yes.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830, and were they heads of families there at that time do you know? A I do not.
- Q Did any of them ever own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent Colonel Ward, who lived in Mississippi at that time, that they intended to stay in Mississippi and take land there and become citizens of the United States? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory, between 1833 and 1838?
- A I don't know.
- Q Did any of your Choctaw ancestors own any land or claim any under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q Did any of your Choctaw ancestors claim any benefits or own any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A Not to my knowledge.
- Q Do you understand what the supplement of a treaty is? A Yes.
- Q You have heard that explained too, have you? A Supplement, I think so.
- Q You claim nothing under the Supplement of that treaty do you?
- A No sir.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, the United States Indian Agent who lived in Mississippi in 1830 was required by the Government to make a list of the names of all Choctaw Indians who came before him within six months from the ratification of that Treaty and told him that they wanted to stay back there in that old Choctaw Nation and take land in that Nation and become citizens of the United States. The United States Indian Agent was required by the Government to make a list of these names but he failed to do so, making a list known as "Ward's Register", which contains the names of only a few of these applicants who came before him of the total number. This caused a great many Indians who had land in Mississippi to

(4).

- lose the land and their improvements for it was taken from them and sold by the Government at its public land sales. This caused so many complaints among the Indians that in 1837 a Commission was appointed by Congress which Commission went to Mississippi and heard claimants under Article XIV of that Treaty and made lists of the names of all those who proved their claims. In 1842 another Commission was appointed for that purpose and they made also lists of the names of successful claimants under Article XIV. Do you know if Rachael Shelton or any of your Choctaw ancestors appeared before the Commission appointed by the Act of Congress approved August 23, 1842 and claimed benefits as Choctaw Indians under Article XIV of the Treaty of Dancing Rabbit Creek? A I have been told that she received scrip. I suppose that comes now.
- Q Do you know what that scrip was? Was it money? A No, it was giving her the privilege of selecting land.
- Q It was a certificate. Well did she receive that after appearing before the Commission of 1842 do you think? A I don't know.
- Q You don't know which Commission? A No sir.
- Q The Act of Congress approved August 23, 1842 provided that if a Choctaw Indian appeared before it and proved his claim as a Choctaw Indian under Article XIV, if it also appeared that he had had his land taken from him by the Government, that he should be entitled to select land in one of four states, Mississippi, Alabama, Louisiana or Arkansas, and that he should receive this scrip from the Government which would entitle him to select this land called scrip, which was a certificate. You understand that she did receive such scrip? A Yes, I understand that she did.
- Q Is there anything more that you want to say now in support of your application? A No.
- Q Do you speak Choctaw? A No.

The following persons who appeared before the Commission on October 29th and also on this date, October 30th, all claim through the same common ancestor, Rachael Shelton, through which this claimant makes her application. Their cases and hers will be considered together that one may get the benefit of the testimony given by the others: Mary L. Crook, Lillian Bedford, Roberta I. Coleman, Jessie C. Smith, John W. Crook, Charles O. Crook, Walter J. Crook, Stella W. Schultze, Marvin B. Crook, Maggie M. Coleman, Texanna Jones, Fannie Long, Thomas J. R. Yates and Alice I. Compton, Jesse R. Shelton, and Eli J. Shelton.

This applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, medium dark complexion, medium dark hair. She does not show much trace of Indian blood. Her aunt, Alice I. Compton, who appeared before the Commission on this date October 30, and her aunt Maggie Coleman, who appeared for identification before the Commission October 29, and who are sisters of her father, show distinct traces of Choctaw blood. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of Dancing Rabbit Creek.

(5).

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 21 day of January, 1902.

Hal Belford
Clara Mitchell Wood

Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRICKNIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.B. 3400.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Ethel Pearl Shelton,

Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justies, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willettta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Week P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Bama Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Murie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNATURE

Tams Bixby.

Acting Chairman.

Registered.

COPY.

WCR 3885

Wuskogee, Indian Territory, November 20, 1905.

Ethel Pearl Shelton,
Paris, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3885

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

~~E. C.~~
Name ~~E. C.~~ Pearl Shelton.

Age 24 — Blood ~~Don't~~ Know.

Post Office, Paris, Texas.

Father: Jessie R. Shelton, l.

Mother: Ann ~~E. C.~~ Shelton l.

Claims through father

~~Children~~

Claim for self
alone —

Enographer

Wae Belford

Choctaw MCR 3886

Irene Thomas

See MCR 3878

MCR 3886

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 30, 1901.

25885

In the matter of the application of Irene Thomas for
the identification of herself and her two minor children, Jessie C.,
and Beattie T. Thomas, as Mississippi Choctaws.

Applicant represented by John Lendon, Attorney.

Irene Thomas, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Irene Thomas.
Q Irene? A Yes sir.
Q Irene Thomas? A Yes sir.
Q What is your age? A Twenty-five.
Q What is your post office address? A Pecan Gap, Texas.
Q What is it? A Pecan Gap, Texas.
Q P-e-c-a-n? A Yes sir, G-a-p.
Q How long have you lived there? A Since the first of January
this year.
Q Where were you born? A In Lamar County.
Q How long did you live in Lamar County, Texas? A All my life.
Q What is your father's name? A S. E. Compton.
Q S. E.? A E.
Q Is he living? A Yes sir.
Q What is your mother's name? A Alice Compton. Alice I. Compton.
Q Alice I., is she living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Mother.
Q She made application for identification to-day did she, before
the Commission, October 30? A Yes sir.
Q How much Choctaw blood do you claim through your mother? A I
don't know.
Q Has your mother ever been recognized as a Choctaw Indian or en-
rolled as a member of the Choctaw Tribe, either by the Choctaw
Tribal Authorities, or the United States Authorities in the Indian
Territory? A No sir.
Q When and where were your father and mother married? A Married
in Lamar County, December 8, 1888.
Q By a minister, under a license? A Yes sir.
Q Are you married? A Yes sir.

(2).

- Q What is your husband's name? A B. B. Thomas.
Q What is his nationality? A He's an American. White man.
Q Do you make any claim for him? A No sir.
Q How many Children do you want to make application for? A Two.
Q What is the name of the eldest? A Jesse C.
Q Is that a boy? A Yes sir.
Q How old is he? A Four years old.
Q What is the name of the next? A Bessie F.
Q B-e-s-s-i-e ? A Yes sir.
Q Bessie F., how old is she? A Fifteen months.
Q Is B. B. Thomas the father of these children? A Yes sir.
Q Were you ever married before you married him? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q You claim for yourself and children, do you? A Yes sir.
Q When and where were you married to your husband? A In Lamar County, December 1, 1896.
Q By a minister under a license? A Yes sir.
Q Is your name on any of the Tribal Rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Is this the first application of any kind that you have ever made either to the Choctaw Tribal Authorities or to the United States Authorities, for citizenship or membership or enrollment in the Choctaw Nation? A Yes sir.
Q Do you now come before this Commission for the purpose of being identified as a Mississippi Choctaw and for the purpose of the identification of your children as Mississippi Choctaws? A Yes sir.
Q Claiming an interest in the lands in the Choctaw Nation Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A Yes sir.
Q Have you heard it read and explained a number of times? A Yes sir.
Q So that you think you understand it well enough to waive the explanation? A Yes sir.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter

(3).

section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained do you know whether any of your Choctaw ancestors complied with the provisions of that article of that treaty in any way? A No sir, I do not.
- Q Or attempted to comply? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation was she to you? A My great-grandmother.
- Q How much Choctaw blood did she have? A I don't know.
- Q You claim through your mother do you not? A Yes sir.
- Q Alice I. Compton? A Yes sir.
- Q She appeared for identification before the Commission to-day did she not, October 30? A Yes sir.
- Q Where was she born? A Lamar County.
- Q When? A 1848.
- Q She claims through which parent her father or mother? A Her father.
- Q What is his name? A Elie Shelton.
- Q He also appeared for identification today, October 30, did he not here? A Yes sir.
- Q How old is he now? A Seventy-eight.
- Q Where was he born? A He was born at Fort Townsend, Territory of Arkansas.
- Q Do you know whether he ever lived in Mississippi or Alabama? A No sir, I don't think he did.
- Q He claims through his mother, Rachael Shelton, does he? A Yes sir.
- Q Through whom did Rachael Shelton claim her choctaw blood? A Through her mother, I suppose.
- Q What was her mother's name? A Marrs.
- Q Do you know her first name? A No sir.
- Q Do you know if she, Rachael Shelton, or any of her ancestors lived in the old Choctaw Nation in Mississippi and Alabama? A No sir, I do not.
- Q Did you ever hear any such rumor in the family? A Why, I don't know. I don't remember.
- Q You don't know then whether any of your ancestors lived in Mississippi or Alabama in 1830 when that treaty was ratified, or 1831. A No sir, I don't.
- Q Did any of your ancestors receive any land in Mississippi or Alabama under Article XIV of the Treaty of 1830? A I don't know.
- Q Did they receive any land or any benefits or claim any under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know that.
- Q Did any of your Choctaw ancestors within six months from the ratification of the Treaty of 1830 tell the United States Indian Agent Colonel Ward that they intended to stay in Mississippi and take

(4).

land there and become citizens of the United States? A I don't know that.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi in 1830? A I don't know.

Q Did any of them go from Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A No.

Q According to the provisions of Article XIV of the Treaty of 1830 the United States Indian Agent, whose name was Colonel Ward was instructed by the United States Government to make a list of the names of all Choctaw Indians who came to his Office within six months from the ratification of the Treaty of Dancing Rabbit Creek, and told him that they claimed under Article XIV of the Treaty of 1830, and that they wanted to stay in Mississippi and take land there and become citizens of the United States. Colonel Ward made a list known as Ward's Register which contains the names of less than a hundred heads of families who complied with the provisions of Article XIV of that treaty, but that list of his contains the names of only a small part of the total number of applicants who came before him and said that they wanted to stay in Mississippi, take land there and become citizens of the United States. His failure to make a full and complete list of all who came before him caused many Indians to lose the land in which they had improvements and which they had selected in the old Choctaw nation, and so many complaints were made among the Indians that in 1837 Congress appointed a Commission and that Commission went to the State of Mississippi and heard claimants under Article XIV, heard all who came before it. In 1842 Congress appointed another Commission for the same purpose, and they went to Mississippi and heard all claimants under Article XIV who desired to come before it and prove their claims. Do you know if any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842 and claimed benefits or rights or privileges under Article XIV of that Treaty of Dancing Rabbit Creek? A No sir, I don't know.

Q According to the Act of Congress of August 23, 1842, if any claimant came before it, that is before the Commission of 1842 and proved his claim, or his right under Article XIV of that Treaty and it further appeared that he had had his land taken from him by the Government, it was decided that he should be entitled to receive land to be selected in Mississippi Louisiana, Alabama or Arkansas, and that a certificate should be given to him to that effect. Do you know if any of your Choctaw ancestors received any such scrip from the Government as Choctaw Indians? A I have heard that my grandmother did.

Q Your grandmother, Rachael Shelton? A Yes sir.

Q Do you know what her husband's name was? A Shelton.

Q What was his occupation, do you know? A Well at that time he was-----he supplied the Indians with provisions.

Q He was a contractor was he? A Contractor, yes sir.

Q For the Government in the matter of the removal of the Choctaw Indians from the old Choctaw Nation to the new? A Yes sir.

Q Do you know when and where he married his wife? A No sir.

Q Or who she was before he married her? A I know that she was Rachael Marrs.

Q Well, did she live among the Indians at that time? A I don't know.

Q You don't know whether his being there in connection with the In-

(5).

dians in that way brought about this marriage with one of the members of the Tribes? A No sir.

Have you any documentary evidence of the fact that you are descended from a Choctaw Indian who received scrip from the Government? A No sir.

Think you can prove that if given time? A Yes sir.

Reasonable time will be allowed this applicant in which to introduce documentary or any other proper evidence in support of this application which she makes for herself and these two children.

Q Do you speak Choctaw or understand that language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except she has dark complexion, black eyes, and black hair. She shows some indications of a strain of Indian blood. She does not know how much according to her statement. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830?

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Sworn to and subscribed before me this 2nd day of January, 1902.

Hal Belford
Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3886.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

Irene Thomas,

Pecan Gap, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.,	M C R 3356
Laura J. Duncan, et al.,	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter B. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al .	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shippe, Maud M. Shippe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamo Bixby.

Registered.

Acting Chairman.

COPY.

MCR 3886

Muskogee, Indian Territory, November 20, 1905.

Irene Thomas,
Pecan Gap, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your two minor children, Jesse C. and Bessie F. Thomas, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3886

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Irene Thomas

Age 25. Blood Don't know.

Post Office, Pecan Gap, Texas.

Father: S. N. Compton, l

Mother: Alice D. " l

Claims through mother -

~~wife.~~ Husband, B. B. Thomas, w.

No claim for husband

Children:

Jesse C. (boy), Thomas, 4

Bessie T. " 15 m.

Claims for self & children.

Stenographer Hal Belford

Choctaw MCR 3887

Florence Carson

See MCR 3878

MCR 3887

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1905.

#3387.

In the matter of the application of Florence Carson
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Florence Carson, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Florence Carson, C-a-r-s-o-n .
Q What is your age? A Twenty-four.
Q What is your post office address? A Rexton.
Q R-e-x-t-o-n ? A Yes sir.
Q How long have you lived there? A Well, I have stayed there---I
have been there, you might say it was my home for the last two or
three years, but I have always lived in Lamar County.
Q Is Rexton in Lamar County? A Yes sir.
Q And you were born in Lamar County? A Yes sir.
Q What is your father's name? A S. H. Compton.
Q He is living is he? A Yes sir.
Q What is your mother's name? A Alice I. Compton.
Q She has made application before the Commission has she not to-day?
A Yes sir.
Q You claim your Choctaw blood through your mother? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized as a Choctaw Indian or en-
rolled as a member of that tribe by either the Choctaw Tribal
Authorities or the United States Authorities? A No sir.
Q When and where were your father and mother married? A Lamar
County.
Q Do you remember the date? A 1899, December 8th.
Q Are you married? A Yes sir.
Q What is your husband's name? A W. C. Carson.
Q What is his nationality? A He's a white man.
Q White man? A Yes sir.
Q Have you any children you wish to make application for? A No sir.
Q You apply for yourself alone? A Yes sir.
Q Is your name on any of the Tribal Rolls of the Choctaw Nation in
the Indian Territory? A No sir.

(2).

- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever go before the Commission to the Five Civilized Tribes and claim or make a claim to be identified as a Mississippi Choctaw under act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made for enrollment as a Choctaw Indian in the Choctaw Tribe either to the Choctaw Tribal Authorities or the United States Authorities? A Yes sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the Choctaw lands in the Indian Territory, under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q You have heard it read and explained a number of times have you? A Yes sir, a number of times.
- Q Do you waive an explanation of it now? A Yes sir.
- Q You think you understand it well enough? A Yes, I understand it.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months after the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained and as you understand it do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that Treaty? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation was she to you? A My great-grandmother.
- Q Did you ever see her? A No sir.
- Q Do you know how much Choctaw blood she had? A No sir.

(3).

- Q Do you know if she ever lived in the old Choctaw Nation in Mississippi or Alabama? A No sir.
- Q Do you know if her father or mother ever did? A No sir.
- Q You claim through your mother? A Yes sir, I claim through my mother.
- Q And she was born where? A In Lamar County.
- Q In Texas? A Yes sir.
- Q Do you know when she was born there? A I knew she's fifty-three years old. I don't remember the date.
- Q She claims through which parent, father or mother? A Her father, Eli J. Shelton.
- Q Both your mother and her father, your grandfather, Eli J. Shelton have appeared for identification on the above date have they not, October 30? A Yes sir.
- Q How old is your grandfather now? A Eighty-----seventy-eight.
- Q Seventy-eight? A Yes sir.
- Q Did he ever live in Mississippi or Alabama in that old Choctaw Nation back there? A No sir.
- Q He claims through which parent? A His mother.
- Q That's Rachael Shelton? A Rachael Shelton.
- Q What was her maiden name? A Rachael Harris.
- Q What was her husband's name? A Jesse Shelton.
- Q Jessie Shelton. What was his business or occupation? A Well, he had supplies from the Government for the Indians in their removal from the old Nation to the new.
- Q Between 1833 and 1838 was that? A Yes sir.
- Q Did he live at any time of his life in Mississippi do you know? A No sir, not that I know of.
- Q Do you know how old Rachael Shelton would be if she were ~~living~~ now? A Well, we have a family record which shows she would be over a hundred.
- Q That you propose to introduce in this case? A Yes, we purpose to introduce it.
- Q Did any of your Choctaw ancestors to your knowledge live in Mississippi and Alabama in 1830 and were the heads of families there at that time? A No sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A Not that I know of.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under Article XIV of the Treaty of 1830? A I can't say.
- Q Did they own or claim any land or any improvements of any kind under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama at that time or any time before that year, 1830? A I don't know.
- Q Did any of them go from Mississippi or Alabama to the Choctaw Nation Indian territory between 1833 and 1838? A I don't know.
- Q Did any of them within six months after the ratification of the ratification of the Treaty of 1830 tell the United States Indian Agent Colonel Ward, that they intended to stay in Mississippi, take land there and become citizens of the United States? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, the United States Indian Agent, whose name was Colonel Ward, and who lived in Mississippi in 1830 was required by the Government to make a list of the names of Choctaw Indians who came before him within six months after the ratification of

(4).

the treaty of Dancing Rabbit Creek and declared that they intended to stay in Mississippi, take land there, live upon it five years and then become citizens of the United States. This United States Indian Agent failed to make a complete list of all of the Indians who came before him within six months from the ratification of that Treaty. His list known as "Ward's Register" contains the names of only a very few of the total number of Choctaw Indians who complied with the provisions of that Article. This negligence on his part caused a great many Indians who had land in Mississippi and Alabama to lose that land; it was sold by the Government and this caused so many complaints among the Indians that Congress in 1837, by an Act approved March 3rd of that year appointed a Commission something like this Commission, and which went to the State of Mississippi and heard all claimants, all Mississippi Choctaw claimants who came before it, and made lists of the names of those who appeared. In 1842 Congress appointed another Commission for the same purpose and that Commission went to the State of Mississippi and made a list of the names of Choctaw Indians who came before it. Do you know whether any of your Choctaw ancestors appeared before either of those two Commissions, that of 1837 or the Commission of 1842 and claimed benefits under Article XIV of that Treaty? A No sir, I do not.

- Q Did you ever hear that any of your ancestors received any scrip from the Government as Choctaw Indians under Act of Congress approved August 23, 1842? A I have heard so recently.
- Q Through what channel or source did you receive that information? A From Mr. London.
- Q Did you ever hear from any other source? A No sir.
- Q That comes from the records does it? A Yes sir, it comes from the records.
- Q Do you think you can show that any of your ancestors received scrip from the Government of the United States if given time? A Yes sir.
- Q Have you any documentary evidence that you want to present now? A No sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to introduce documentary evidence in support of this application also any other proper evidence or testimony that she desired to submit.

- Q Do you speak or understand the Choctaw language? A No sir.

The following people, all descended from the same common ancestor through whom she claims, have made application for identification here as Mississippi Choctaws:

Mary L. Crook
Lillian Bedford
Roberta I. Coleman
Jessie C. Smith

(5).

John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin E. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jessie E. Shelton
Eli J. Shelton
E. Pearl Shelton,
Irene Thomas.

Their testimony and hers are to be taken together, all forming a part of the whole testimony taken in this case.

This applicant has the appearance and physical characteristics of being descended from mixed ancestry composed mainly of white, some Indian blood. Dark complexion, brown eyes, dark brown hair. Some of her relatives claiming through the same common ancestor, particularly her mother, Alice I. Compton, show distinct traces of Choctaw blood. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 4th day of January, 1902.

Hal Belford
Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAVIS,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
N.O.R. 3857.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Florence Carson,
Roxton, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Week P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totay Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tamc Bixby.*

Registered.

Acting Chairman.

MCR 3887

COPY.

Muskogee, Indian Territory, November 20, 1905.

Florence Carson,
Roxton, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

A handwritten signature in cursive script, appearing to read "W. O. Beall".

Acting Commissioner.

No. 3887

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Florence Carson.

Age 24 - Blood Don't Know

Post Office, Roxton, Texas

Father: S. N. Compton, L.

Mother: Alice D. Compton, L.

Claims through mother --
husband

W. C. Carson, - W.

~~Claims~~

claims for self alone.

Stenographer Neal B. Burt

Choctaw MCR 3888

Lola A. Haraway

See MCR 3878

MCR 3888

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#1833.

In the matter of the application of Lola A. Haraway
for the identification of herself and her two minor children, Georgia
and Rachel B. Haraway, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Lola A. Haraway, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is the name? A Lola A. Haraway.
Q L-o-l-a? A Yes sir.
Q How do you spell the last name? A H-a-r-a-w-a-y .
Q What is your age? A It is forty-seven.
Q What is your post office address? A High, Texas.
Q Where is that? A High.
Q How long have you lived at High? A I have lived there all my
life in that same County, except six years of my life I have lived
in Delta County. I have lived at High twelve years.
Q You have always lived in Lamar County? A Except six years I was
in Delta County.
Q Born in Lamar County? A Yes sir.
Q What is your father's name? A Eli J. Shelton.
Q He is living is he not? A Yes sir.
Q He appeared for identification to-day did he not before the Com-
mission, October 30? A Yes sir.
Q What is your mother's name? A M. A. E. Shelton.
Q Martha A. E.? A Yes sir.
Q Is she living? A Yes sir.
Q Do you claim your Choctaw blood through your father? A Yes sir.
Q How much do you claim? A I don't know.
Q Has your father ever been recognized in any way or enrolled as a
Choctaw Indian by the Choctaw Tribal Authorities or by the United
States Authorities in the Indian Territory? A No sir.
Q Have you evidence of the marriage of your father and mother with
you? A I have a certificate.
Q You think you can introduce that? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A S. E. Haraway.
Q What? A S. E. Haraway.
Q S. E.? A S. E.
Q Is he a Choctaw Indian? A No sir.

(2).

- Q White man? A Yes sir.
- Q Do you make any claim for him? A No, he is not living now.
- Q Have you any children that you want to make application for? A Two.
- Q Is he the father of these children? A Yes sir.
- Q What is the name of the eldest? A Georgia.
- Q What is that? A Georgia.
- Q That's a girl? A Yes sir.
- Q H-a-r-a-w-a-y? A Yes sir.
- Q How old is she? A Seventeen.
- Q Have you any others? A Rachael E.
- Q R-a-e-h-a-e-l? A I spell it Rachel, is the way I spell her name.
- Q Rachel B.? A Rachel E.
- Q What is her age? A She's fourteen.
- Q Fourteen? A Yes sir.
- Q Is that all the children? A Yes sir.
- Q S. H. Haraway was the father of these children? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q They are living with you? A Yes sir.
- Q Do you remember when and where you were married to him? A In Lamar County.
- Q Texas? A Yes sir, near High, where I live now.
- Q Do you remember the date? A Yes sir, November 23, 1882.
- Q You claim for yourself and children do you? A Yes sir.
- Q You were married by a minister under a license were you not? A Yes sir.
- Q Were you ever married before you married your husband? A No sir.
- Q Or he before he married you? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been enrolled as a Choctaw citizen a member of that tribe of Indians, by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any description that you have ever made for enrollment either for yourself or these children as Choctaw Indians, either to the Choctaw Tribal Authorities or the United States Authorities? A Yes sir.
- Q Are the names of your children on any of the tribal rolls of the Choctaw Nation or have you ever made application for citizenship in the Choctaw Nation, or anything for them? A No sir.
- Q Do you now come before this Commission for the purpose of being identified as a Mississippi Choctaw and for the purpose of the identification of your children as Mississippi Choctaws claiming under article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I think I do.
- Q What? A I think so.
- Q You have heard it read and explained a number of times? A Yes sir.
- Q You waive the explanation then do you? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of

(3).

the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained a number of times do you know if any of your Choctaw ancestors ever complied with any of the provisions of that article? A No.
- Q What is that? A No sir.
- Q Who is the ancestor through whom you claim your right to be identified? A Rachael Shelton.
- Q How much Choctaw blood did she have? A I don't know.
- Q Is she a relative of yours? A My grandmother.
- Q You claim through which parent? A Father.
- Q How old is he now? A He's seventy-eight.
- Q Did he ever live in Mississippi or Alabama? A I don't know.
- Q What is that? A No sir, I don't know.
- Q And that is his mother is it? A That's his mother.
- Q That you are claiming through? A Yes sir, it's his mother.
- Q Do you know whether she claims through her father or mother? A I do not.
- Q Do you know whether her father or mother ever lived in Mississippi or Alabama? A No sir.
- Q Don't know whether any of your ancestors were recognized members of the Choctaw Tribe of Indians in Mississippi or Alabama? A No sir, I do not.
- Q Or lived there in 1830? A No sir.
- Q Do you know how old Rachael Shelton would be if she were living now? Q I think she would be about a hundred and sixteen years old, we think.
- Q Could you tell where she was born? A No sir.
- Q Or when and where she died? A Yes, she died in Red River County.
- Q In Texas? A Yes sir. I don't know the exact time. I don't think we have any record of that.
- Q Do you know whether she spoke the Choctaw language or had a Choctaw Indian name? A No sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A Not that I knew of.
- Q Did any of them within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent Colonel Ward, that they intended to stay in Mississippi and take land there? A I don't know.
- Q Did any of them go from Mississippi or Alabama to the new Choctaw Indian Territory, between 1833 and 1838? A I don't know.
- Q Did any of them ever claim any land or own any under Article XIV of the Treaty of 1830? A I don't know.

(4).

- Q Did any of them claim or own any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that Treaty? A Not that I know of.
- Q You don't know about that? A No sir.
- Q The Treaty of 1830 was ratified on the 24th day of February of the Year 1831, and article XIV of that treaty provided that all Choctaw Indians who stayed in Mississippi and who wanted to take advantage of Article XIV must within six months after that treaty was ratified go to the United States Indian Agent, Colonel Ward, and tell him that they wanted to stay in Mississippi, wanted to take land there and wanted to become citizens of the United States. If they did that they might afterwards claim rights in the Indian Territory. It was the duty of the United States Indian Agent to record the names of all those people who went before him under those provisions of Article XIV of that Treaty. Colonel Ward did make-----he was the Indian Agent-----did make a list of names of claimants who came before him, but the list is very incomplete and contains the names of only a few of the total number of Indians who made those declarations within six months from the ratification of that treaty. This neglect on his part caused a great many Indians to lose their land in Mississippi, because the Government sold it-----took it from them and sold it. Of course a great many complaints were made among the Indians and as a result of these complaints continually being made to the United States Government Congress in 1837, by an act that was ratified on the 3rd day of March of that year appointed a Commission which went to Mississippi and heard claimants under Article XIV of that Treaty and made lists of the names of those who appeared before it. In 1842 Congress appointed another Commission to carry on this same work and this Commission went to Mississippi and made lists of the names of claimants who appeared before it. Did any of your ancestors appear before either of those two Commissions and claim benefits under Article XIV do you know? A No.
- Q Did you ever hear so? A I have heard so.
- Q What? A I have heard so.
- Q What did you hear. I have heard that she did receive scrip.
- Q That Rachael Shelton received scrip? A I don't know when. Whether it was that treaty but I have heard she received scrip.
- Q Do you think if given time you could prove that? A Yes sir.

Reasonable time will be given this applicant in which to introduce documentary evidence in support of this application which she makes for herself and children, also to prove that her ancestor received scrip from the Government if she desires to introduce that evidence.

- Q Do you understand the Choctaw language? A No sir.
- Q Is there anything more you would like to state in support of this claim? A No sir.
- Q What relation is Alice I. Compton to you? A Sister.
- Q And Maggie Coleman, is she a sister? A Yes sir.

The following names persons who have appeared before this Commission for identification as Mississippi Choctaws claiming through the same common ancestor as this applicant are all relatives of hers, and their testimony will be considered in connection with hers when hers is taken up for consideration in order that she may get the benefit of what they have testified to.

(5)

Mary L. Crook
Lillian Bedford
Robert I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long.
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson.

This applicant has the appearance and physical characteristics of being descended from white parentage. She is a daughter of Eli J. Shelton who is the son of this common ancestor, Rachael Shelton, through whom they all claim. She has medium dark complexion, blue eyes, brown hair. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830. Her sister Alice I. Compton who appeared for identification October 30, and Maggie M. Coleman another sister who appeared for identification October 29, are very dark and in the opinion of the Commission show traces of Choctaw blood.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 1st day of January, 1902.

Hal Belford
W. C. Mitchell
Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3888.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

Lola A. Thraway,

Muskogee, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May B. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
B. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Week P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

Tamo Birby.

Acting Chairman.

Registered.

COPY.

MCR 3888

Muskegee, Indian Territory, November 20, 1905.

Lola A. Haraway,
High, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your two minor children, Georgia and Rachel E. Haraway, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3888

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Lola A. Haraway.

Age 47

Blood ~~Dark~~ *Chrom.*

Post Office, Kerigh, Texas.

Father: Eli J. Shelton, - b.

Mother: Martha A. E. " l

Claims through father —
~~husband~~ S. N. Haraway, ^(d) w.
~~to~~

Children:

Georgia Haraway, 17
Rachel E. " 14

claims for self
and children —

~~Signature~~ Hal Belford

Choctaw MCR 3889

Ada A. Shelton

See MCR 3878

MCR 3889

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3859.

In the matter of the application of Ada Shelton for the identification of her three minor children, Ada A., Alva and Irma Shelton as Mississippi Cheetaws.

Applicant represented by John Landon, Attorney.

Ada Shelton, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is the name? A Ada Shelton.
Q Your age is what? A Forty-seven.
Q And your blood is white? A White, yes sir.
Q What is your post office address? A High, Texas.
Q Is that also the post office address of these children? A Yes sir.
Q They are living with you are they? A Yes sir.
Q You wish to make application for your three minor children do you? A Yes sir.
Q Who claim their Cheetaw blood through their father? A Yes sir.
Q How long have you and these children lived at High, Texas? A We came there last September.
Q Where have these children lived all their lives? A They have lived in Lamar County and Delta County and Braxton County.
Q All in Texas? A Yes sir.
Q Born in Lamar County? A Well, two of them was.
Q The two eldest? A Yes sir.
Q And the youngest? A The youngest in Delta County.
Q What was their father's name? A T. B. Shelton.
Q That "T" stand for Thomas? A Yes sir, Thomas B. Shelton.
Q When did he die? A He died last December, 23rd of December, 1900? A Yes sir.
Q Where? A Lamar County, Texas.
Q What was his age when he died? A Forty-nine.
Q These are your children? A Yes sir.
Q Are they living with you at your home? A Two of them is.
Q The two eldest? A No sir, it's the two youngest that's with me.
Q Where is the eldest? A She's in Delta County. At Pecan Gap.
Q Is she living with someone else? A Yes sir.
Q Has she been adopted by anyone? A No sir, she has a position there in a store.
Q You are taking care of these children are you? A Yes sir.

(2).

- Q And are the natural guardian? A Yes sir.
- Q You make application for them through their father because of his death? A Yes sir.
- Q How much blood do you claim for these children? A I really don't know.
- Q What is the name of the oldest? A Ada A. Shelton.
- Q How old is she? A Eighteen.
- Q The next? A Alva.
- Q Alva? A Yes sir, sixteen.
- Q Is that a boy? A Yes sir.
- Q The next? A Irma.
- Q E-r-m-a? A I-r-m-a.
- Q Boy? A No sir, twelve.
- Q Is that all? A Yes sir.
- Q Thomas B. Shelton is the father of these children? A Yes sir.
- Q Do you know how much Choctaw blood they claim? A No sir.
- Q You are the mother of these children? A Yes sir.
- Q When and where were you married to your husband? A Lamar County, Texas.
- Q When? A In '79.
- Q Do you remember the day of the month? A Yes sir, 23rd of December.
- Q By a minister under a license? A Yes sir.
- Q Was Thomas B. Shelton ever married before he married you? A No sir.
- Q Were you ever married before you married him? A No sir.
- Q Was he or either of his parents ever recognized in any way or enrolled as a member of the Choctaw tribe of Indians by the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A Not that I know of.
- Q You claim just for these children, do you? A Yes sir.
- Q Are the names of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did anyone ever make application for them for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did anyone ever make application for them for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have they ever been admitted as citizens of the Choctaw Nation either by the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application that has ever been made for these children for enrollment as Choctaw citizens either to the Choctaw Tribal Authorities or to the United States Authorities in the Territory? A Yes sir.
- Q Do you now make application as the mother and guardian of these children for their identification as Mississippi Choctaws, claiming their interests through their father, and claiming under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you understand that article of the Treaty of 1830? A Yes sir.
- Q Do you wish to have it explained and read to you? A No sir.
- Q You have heard it read and explained have you? A Yes sir.
- Q And you think that you sufficiently understand it now to make a claim for these children under it? A Yes sir.
- Q You waive that explanation do you? A Yes sir.
- Q Article XIV of the treaty of 1830 reads as follows:

"Each Choctaw head of a family
being desirous to remain and become a citizen of

(3).

the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q How do you know whether any of the Choctaw ancestors of these children complied with or attempted to comply with any of the provisions of that article of that Treaty as explained to you? A No sir, I do not.
- Q What is the name of the ancestor through whom you claim the right to identify these children? A Rachael Shelton.
- Q Rachael Shelton-----she was what relation to these children? A Their great-grandmother.
- Q Great-grandmother? A Yes sir.
- Q They claim through your husband? A Yes sir.
- Q And his name was what? A Thomas B. Shelton.
- Q He claimed through which parent, father or mother? A His father.
- Q His father's name was what? A Eli J. Shelton.
- Q And he claimed through Rachael Shelton? A Yes sir.
- Q How much Choctaw blood did she have? A I don't know sir.
- Q How much did her son Eli have? A I don't know sir.
- Q How much did any of her descendants have if you know? A I don't know.
- Q When and where was she born? A I don't know.
- Q Do you know when and where she died? A No sir.
- Q Do you know whether she ever lived in Mississippi or Alabama in the old Choctaw Nation? A No sir.
- Q Do you know whether she or any of the ancestors of these children were recognized members of the Choctaw Tribe of Indians in Mississippi or Alabama? A No sir.
- Q Did she have an Indian name or speak the Choctaw language? A I don't know sir.
- Q Did the father of these children have any knowledge of the Choctaw language? A No sir.
- Q Did any of the Choctaw ancestors of these children for whom you are making application own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them go from Mississippi or Alabama to the Choctaw Nation, Indian Territory with the other Indians between 1833 and 1838? A I don't know.
- Q Did any of the Choctaw ancestors of these children within six months after the ratification of the Treaty of Dancing Rabbit Creek signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and take land there? A I don't know.

(4).

- Q Did any of the Choctaw ancestors of these children own or claim any land in Mississippi under article XIV of the Treaty of 1830? A I don't know.
- Q Did they claim any benefits or any land or anything under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q After the treaty of 1830 was ratified the United States Indian Agent was instructed to record the names of all of the Choctaw Indians who came before him within six months from the ratification of the Treaty of 1830 and told him that they intended to stay in Mississippi and take land there. This was in accordance with the provisions of Article XIV of that treaty. This United States Indian Agent failed to record the names of all the Indians who came before him. The list known as Ward's Register, which he made out contains the names of only a very small number compared with the total number of applicants who came before him under the provisions of that article of that treaty. This neglect on his part caused the Indians who lived in Mississippi and Alabama to many of them lose their lands and improvements and so many complaints were made afterwards that Congress in 1837, by an Act approved March 3rd of that year appointed a Commission to go to Mississippi and hear claimants under Article XIV who desired to be heard before that Commission. This was done and lists were made of those who appeared before that Commission. In 1842 another Commission was appointed by Congress for the same purpose and they also made lists of the names of all claimants who came before them under Article XIV of the Treaty of Dancing Rabbit Creek. Do you know if these children's ancestors any of them, Rachael Shelton or any other ancestor, went before either of those two commissions and claimed benefits under Article XIV of that treaty? A No sir, I don't know.
- Q The Act of Congress approved August 23, 1842 provided that if any of those Choctaw Indians appeared before it-----before that Commission of 1842 and proved their claim, if it also appeared before that time that their land had been previously taken from them that they should be entitled to select land either in Alabama, Mississippi Louisiana or Arkansas, to be taken from vacant Government land, and that they should get certificates to that effect. These certificates were called scrip. Did any of the Choctaw ancestors of these children receive any such scrip from the Government as Choctaw Indians? A I have heard they did.
- Q Heard Rachael Shelton did? A Yes sir.
- Q Have you any proof of that now except what you have heard in the family? A No sir.
- Q Do you think you can prove it if given time? A Yes sir.

Reasonable time will be given this applicant in which to file documentary or other proper evidence in support of this application which she makes for these three minor children, and to prove if possible and if she desired that an ancestor of these children received scrip from the United States Government as Choctaw Indians.

- Q Do you speak the Choctaw language or understand it? A No sir.
- Q Did these children know anything about the Choctaw language? A No sir.
- Q How do these children look? A There's some of them dark and some of them very fair.
- Q Which one is dark? A My oldest daughter is very dark.

(5).

- Q Her name is what? A Ada A. Shelton.
Q Ada, she's dark is she? A Yes sir.
Q Black eyes? A Yes sir, black hair.
Q How the others? A My son, he's very fair.
Q What is his name? A Alva.
Q He is fair? A Yes sir.
Q Blue eyes? A Yes sir.
Q Light hair? A Yes sir.
Q And the other? A My other daughter has blue eyes and brown hair.

- Q The following names persons have appeared for identification before the Commission:

Mary L. Crook
Lillian Bedford
Roberta I. Coleman
Jessie C. Smith
John W. Crook
Charles S. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman

Texannah Jones
Fannie Long
Thomas J. E. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway.

and all claim through the same common ancestor, Rachael Shelton. Do you want to have the testimony in these cases considered by the Commission when this testimony is considered in behalf of these children in order that they may get the benefit of it?
A Yes sir.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 14th day of January, 1902.

Hal Belford
Chas Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 3889.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Ada A. Shelton,

High, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
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Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
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Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Robertta I. Coleman, et al.,	M C R 3871
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Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willie Brackeen, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rona Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Bixby.

Registered.

Acting Chairman.

MCR 3389

COPY.

Muskogee, Indian Territory, November 20, 1903.

Ada A. Shelton,
High, Texas.

Dear Madam:

You are hereby notified that on November 6, 1903, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made for the identification of yourself and your brother and sister, Alva and Irma Shelton, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Ada Shelton, for
3 minor children.

Age 47 Blood (white)

Post Office, Hefz, Texa.

H. Children. Thomas B. Shelton, (d)

Father:

Mother: Ada. Shelton

Children

Claims through father.

Children:

Ada A. Shelton, 18

Alva boy " 16

Irma girl " 12

Claims for three
3 children.

Stenographer

Hae Bedford

Choctaw MCR 3890

Idella Garland

See MCR 3878

MCR 3890

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3890.

In the matter of the application of Idella Garland for the identification of herself and her minor child, Columbus A. Shippe, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Idella Garland, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Idella Garland.
Q Ida? A Idella.
Q And the last name? A Garland.
Q What is your age? A Forty-four.
Q What is your post office address? A Annena Texas.
Q A-n-n-a? A A-n-n-a-a-a.
Q How long have you lived there? A I have lived at Annena nearly four years.
Q Where were you born? A In Lamar County, Texas.
Q Have you always lived in Texas? A Yes sir, lived in Texas all my life.
Q And is Annena in Lamar County? A No sir, it's in Red River County.
Q You went from Lamar County to this County? A To Red River.
Q What is your father's name? A Eli J. Shelton.
Q He appeared to be identified to-day did he not? A Yes sir.
Q How old is he? A He's seventy-eight years old.
Q Is your mother living? A Yes sir.
Q What is her name? A Martha A. E. Shelton.
Q Through which parent do you claim Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A I don't know sir.
Q Has your father ever been recognized as a Choctaw Indian or enrolled by the Choctaw Tribal Authorities or the United States Authorities in the Territory? A No sir.
Q Have you proof of the marriage of your father and mother here? A We have-----I don't think it's here. But then we can get it.
Q You purpose to file it do you, with the testimony? A Yes sir.
Q Are you married? A Yes sir, I have been twice married.
Q Have you any minor children that you want to make application for?

(2).

A One.

- Q What is the name of the father of that child? A C. W. Shipe.
- Q C. W. What? A S-h-i-p-e.
- Q He is dead is he? A Yes sir, he's dead.
- Q What was his nationality or blood, white? A Yes sir.
- Q And this is the child of this father? A Yes sir.
- Q What is the name of this child? A Columbus A. Shipe. She's a girl. She has her father's name, but she's a girl.
- Q How old is he? A Twenty years.
- Q Is that all the children you have that you wish to make application for? A Yes sir, all I have that I wish to make application for. I have another but she's over age.
- Q You claim for yourself and this child do you? A Yes sir.
- Q When and where were you married to your first husband? A March 28, 1878, in Lamar County.
- Q By a minister under a license? A Yes sir.
- Q Is your name or the name of this daughter on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir, it is not.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A I have not.
- Q What? A No sir, I have not.
- Q Have you ever made application for enrollment as a Choctaw citizen to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No.
- Q Have you or this child ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you ever made for yourself or daughter for citizenship or enrollment as a citizen of the Choctaw Nation to either the Choctaw tribal authorities or the United States authorities? A Yes sir.
- Q Do you now come before the Commission for the identification of yourself and daughter as Mississippi Choctaws, claiming under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir, I think I understand it.
- Q You think you understand it thoroughly? A Yes sir, I have had it explained to me and I think I understand it.
- Q Now do you care to have it explained further? A No sir.
- Q The explanation will be waived but the article is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become

(3).

citizens of the states for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now after having heard it read and explained do you know whether any of your Choctaw ancestors complied with the provisions of that article as read and explained to you? A No sir, I do not.
- Q What is the name of your ancestor through whom you claim your right to be identified now as a Mississippi Choctaw? A Rachael Shelton.
- Q She was what kin to you? A My grandmother.
- Q Your father's mother? A Yes sir.
- Q Did your father, Eli J. Shelton, or did his mother, Rachael Shelton ever live in Mississippi or Alabama in the old Choctaw Nation? A Not that I know of.
- Q Did her ancestors to your knowledge ever live there? A No sir.
- Q How much Choctaw blood did she have if you know? A I couldn't say.
- Q Or how much did your father have? A I couldn't say, I don't know.
- Q Did you ever hear this matter of having Choctaw blood talked of much in the family? A I have heard it always as a child spoken of in our family. That we were part Choctaw. That is not by my father, no, but my mother used to tell me that she lived near some of my grandmother's relatives in Missouri and she said that she had always heard that they were part Choctaw, grandmother was.
- Q You have a large relationship, have you not? A Yes sir.
- Q Of people who are all related and descended from Rachael Shelton. Has it generally been understood always as far as you know that you had Choctaw blood? A Yes sir, as far as I know it has.
- Q You claim it comes down through Rachael Shelton? A Yes sir.
- Q Did she speak the Choctaw language? A Not that I know of. She died before I was any size.
- Q Did she have any other name than this name-----that is a Choctaw Name? A I never did hear it if she did.
- Q Where was she born? A I don't know sir.
- Q You don't know where? A No sir.
- Q Do you know when and where she died? A I know where she died but I don't know just when it was. She died in Clarksville, Texas.
- Q Did you ever see her? A Not that I can recollect. I was too small to remember her when she died.
- Q Do you know whether she or any of your Choctaw ancestors were recognized members of the Choctaw Tribe of Indians in 1830, living in Mississippi or Alabama and having families there at that time? A I don't know.
- Q Did any of your Choctaw ancestors ever own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them within six months from the ratification of the Treaty of Dancing Rabbit Creek, go to the United States Indian Agent, Colonel Ward, and signify to him their intention of remaining in Mississippi and taking land there? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation in the Indian Territory with the other Indians between 1835 and 1838? A I don't know sir.

(4).

- Q Did any of your Choctaw ancestors claim any land or own any land under Article XIV of the Treaty of 1830? A I don't know sir.
- Q Did any of them claim any land or any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know. I have understood that there was a record that grandmother had scrip, but I don't know what it came from. I have understood that.
- Q You heard that she received scrip from the Government? A Yes sir.
- Q There was scrip issued to claimants who went before the Commission of 1842 and proved that they had rights under Article XIV and these rights had been denied them by the United States Indian Agent, Colonel Ward. In all these cases those who received scrip had had land in Mississippi and that land had been taken from them and they got redress from the Commission of 1842 by receiving this scrip or certificate which entitled them to select land either in Mississippi, Alabama, Louisiana or Arkansas. Do you think she received such scrip? A I have heard there was a record that she received such scrip.
- Q Well now, that presupposes that Rachael Shelton went before the Commission of 1842. Previous to the appointment of that Commission another Commission was appointed in 1837 to hear claims of those who were Choctaw Indians and who claimed rights under Article XIV of the Treaty of 1830. That Commission did not issue scrip, or upon the decision of that Commission no scrip was issued by the Government, but upon the decision of the Commission of 1842 scrip was issued. The reason why these two Commissions were appointed, one in 1837 and the other in 1842, was because by the provisions of Article XIV of the Treaty of 1830, all Choctaw Indians who stayed back there in the old Choctaw Nation were required to go before the United States Indian Agent within six months from the ratification of the treaty and tell him that they wanted to stay in Mississippi and take land there, and then he should have recorded their names upon his list or lists made for that purpose, but he neglected to record most of the names of those who went before him. The Indians who afterwards took land in Mississippi, having gone before the Indian Agent and having a right to take that land and hold it in Mississippi were dispossessed, because the Government found them upon land and failed to find their names upon any list made by Ward authorizing them to select land. This caused so many complaints that these Commissions were appointed, one in 1837 and one in 1842. This presupposes to your answer then that Rachael Shelton did claim rights under the Treaty of 1830 before Colonel Ward. You simply know that it is rumored that she received scrip from the Government? A That's all I know about it.
- Q Do you think you can introduce evidence later to prove the fact that she received such scrip from the Government? A We think so.
- Q You haven't it now? A No sir.
- Q Have you any documentary evidence here now? A No sir.

Here John London, Attorney for the applicant, asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which she makes for herself and daughter for identification as Mississippi Choctaws.

(5).

- Q Do you understand or speak the Choctaw language? A No sir, I do not.
- Q Is there anything further you would like to say in support of your claim? A No sir.
- Q The following people have made application for identification as Mississippi Choctaws, all claiming through the same common ancestor, Rachael Shelton, as follows:

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie E. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman

Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway.

- Q Are these all relatives of yours? A Yes sir.
- Q And this ancestor is the same that you claim through? A Yes sir, the same.
- Q Rachael Shelton, do you want that testimony to be considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. Medium Dark Complexion, blue eyes, dark brown hair. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830?

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 14th day of January, 1902.

Wm. Mitchell
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3890.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

Idella Garland,

Annona, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Boeie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomae M. Murphy,	M C R 3931
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
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Henry R. Latimer, et al.,	M C R 3974
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Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justies, Nannie Lee Justies, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Fame Dixby.

Registered.

Acting Chairman.

MCR3890

COPY.

Muskogee, Indian Territory, November 20, 1905.

Idella Garland,
Annona, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for the identification of yourself and your minor daughter Columbus A. Shipe, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3440

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name I Della Garland

Age 44 Blood Dark Brown

Post Office, Annona, Texas,

Father: Eli J. Shelton, l.

Mother: Martha S. A. G., l.

Claims through father
Husband, C. W. Shipe, (d) W.
Shipe

Children:

Columbus A. Shipe, 20
this is a girl Shipe

Claims for sep &
child —

Stenographer Hal Belford

Choctaw MCR 3891

Maud M. Shipe

See MCR 3878

MCR 3891

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3801.

In the matter of the application of Maud M. Shipe for
identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Maud M. Shipe, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Maud M. Shipe.
Q S-h-i-p-e? A Yes sir.
Q What is your age? A Twenty-two.
Q What is your post office address? A Annona.
Q A-n-n-o-n-a? A Yes sir.
Q Texas? A Yes.
Q Where were you born? A In Grayson County, Texas.
Q How long did you live there? A Only a year or so.
Q And then you went where? A To Lamar County, Texas.
Q And you lived there how long? A Until about four years my
home has been in Red River County, all in Texas.
Q What is your father's name? A C. W. Shipe.
Q Is he living? A No sir.
Q What is your mother's name? A Idella Garland now, I-d-e-l-l-a.
Q Idella what? A Garland.
Q She has made application for identification today has she not,
October 30? A Yes.
Q Through which parent to you claim your Choctaw blood? A Through
my mother.
Q How much do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by either the Choctaw trib-
al authorities or the United States authorities in the Indian Ter-
ritory? A No.
Q When and where were your father and mother married? A They were
married in Rexton, Lamar County, Texas, March 28, 1878.
Q By a minister under a license? A Yes sir.
Q Are you married? A No.
Q You make application for yourself alone do you? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in

(2).

- the Indian Territory? A No.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A Never.
- Q And you never made application for enrollment as a Choctaw Indian to the Dawes Commission under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the United States Authorities or the United States Court? A No.
- Q Is this the first application of any kind you have ever made for enrollment or for citizenship in the Choctaw Nation to either the Choctaw Tribal Authorities or the United States authorities? A It is.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw, claiming benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I do.
- Q You have heard it read and explained a good many times? A Yes, I understand it.
- Q You don't care to hear it explained further? A No.
- Q Article XIV reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now do you know whether any of your Choctaw ancestors complied or attempted to comply with any of those provisions of this article as read to you? A I do not.
- Q Did you ever hear anything about it in the family, from any member of the family, or any of the relatives? A No, I did not.
- Q Whether or not any of your ancestors were Choctaw Indians, how much Choctaw blood they had, or if they ever lived in Mississippi or Alabama? A I have heard that my grandfather's mother had Choctaw blood, but how much and where she lived I never heard.
- Q Your grandfather's mother-----that would be-----? A Rachael Shelton.
- Q Rachael Shelton, yes, but there is no positive information existing among the relatives in as far as you know? A No, I know of

- none.
- Q You don't know where she was born or when? A I know when.
- Q When was she born? A It was in 1785. I don't remember the day of the month. We have a record of that but not the place.
- Q Did you ever hear that she lived in Mississippi or Alabama in that old Choctaw Nation? A I never heard where she lived until she came to Texas.
- Q She died in Texas? A Yes.
- Q When did she die there? A I do not know.
- Q Where in Texas? A I think it was in Red River County.
- Q Her son's name was Eli was it not, your grandfather? A Yes, Eli Shelton.
- Q Did he ever live in Mississippi or Alabama? A I think not.
- Q Did you ever hear who Rachael Shelton's husband was-----what his name was? A His name was Jesse Shelton.
- Q Do you know what his occupation was? A I have heard that he was an Indian trader or contractor for Indian supplies.
- Q In their removal by the Government from the old Choctaw Nation to the new? A Yes, I have heard that.
- Q Did he ever live in Mississippi or did he go to Mississippi? Was he back and forth? A I don't know.
- Q Don't know whether he married an Indian girl when he was doing business there in connection with the Indians? A I don't know.
- Q There is no family tradition to that effect? A I have never heard it if there is.
- Q You claim through your mother. She has appeared here for identification to-day has she not, October 30? A She has.
- Q And she claims through her father, your grandfather, Eli, is it? A Yes.
- Q Shelton. Do you know or have you ever heard whether any of your Choctaw ancestors lived in Mississippi or Alabama in 1830 and were the heads of families there at that time? A No, I never heard.
- Q Did any of your Choctaw ancestors own any improvements on land to your knowledge in Mississippi or Alabama in 1830? A No.
- Q Did any of your Choctaw ancestors within six months from the ratification of that treaty of 1830, go to the United States Indian Agent and tell him that they wanted to stay back there in Mississippi and take land there? A Not that I know of.
- Q Did they ever receive any land under Article XIV of the Treaty of 1830? A Not that I know of.
- Q Or any benefits or any land or anything whatever under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I never heard of anything.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, after that treaty became ratified, which was on February 24, 1831, the Indians who stayed back there in Mississippi and Alabama in the old Choctaw Nation were required to go to the United States Indian Agent and tell him that they wanted to stay in Mississippi and take land there, to take it, they wanted to go on to it, some of them had been on it stayed there. That was their right if they made that declaration, their right to remain on land in Mississippi and not to be disturbed, or to take it and not be disturbed in the possession. It was the business of the United States Indian Agent to record the names of these applicants in order that they might be protected in taking land in Mississippi. He recorded the names of less than one hundred heads of families and applicants altogether, and left off a very much greater proportion of names of people who came before him and made those statements and applications under Article XIV of the Treaty of 1830. However, these people who went before him

(4).

took land, or stayed upon the land which they had already taken, but were later dispossessed by the Government, because the Government could see no right in them whereby they were empowered to hold it. Their names did not appear upon any list made by Ward. They claimed they had gone to him and their names should have been put upon his list, but he said he didn't know anything about it; claimed they had not been before him. The chances were that he did not know or care. So many complaints were made on account of this condition of affairs that in 1837, by an act approved March 3rd of that year, Congress appointed a Commission to go to Mississippi and hear all those claimants who claimed benefits under Article XIV and make a list of the names of all those who appeared before it, which they did. In 1842 another Commission was appointed by Congress for the same purpose, and that same work was done again; lists were made by them of claimants under Article XIV and those claims reported to the Government. Do you know whether any of your Choctaw ancestors appeared before either of those Commissions and claimed benefits under Article XIV of that Treaty? A I do not, but I have heard that Rachael Shelton did, at least that she obtained scrip for this land.

- Q You heard that she obtained scrip, and you suppose then that she did appear before the Commission of 1842? A I suppose so.
- Q You know nothing further about that? A No, nothing further.
- Q You have no proof of that fact with you now? A Not with me.
- Q Or documentary evidence now to submit? A No.

Here John. London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

reasonable time will be allowed this applicant in which to file documentary evidence in support of this application. Also any reasonable proof in support of this claim she makes for identification as a Mississippi Choctaw.

- Q Do you understand the Choctaw language or speak it? A No sir.
- Q Is there anything further you want to say about your claim? A Nothing further.

The following names persons have appeared before this Commission for identification as Mississippi Choctaws, all claiming through the same Common ancestor, Rachael Shelton, with this applicant, and are relatives of hers. There testimony is to be considered with hers in order that she may benefit by what they have testified to.

Mary L. Crook	Stella W. Schultze	Jesse R. Shelton
Lillian Bedford	Marvin B. Crook	Eli J. Shelton
Roberta I. Coleman	Maggie M. Coleman	E. Pearl Shelton
Jessie C. Smith	Texannah Jones	Irene Thomas
John W. Crook	Fannie Long	Florence Carson
Charles O. Crook	Thos. J. R. Yates	Lola A. Haraway
Walter J. Crook	Alice I. Compton	Idella Garland.

(5).

This applicant has the appearance and physical characteristics of being descended from white parentage, except possibly, rather dark complexion, dark gray eyes and brown hair. Some of her relatives who have appeared for identification show a Choctaw ancestry of which she is conscious and Haggis is Indian in particular. She does not speak the Choctaw language and has no knowledge of any compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the same day of October, 1901.

Subscribed and sworn to before me this 4 day of January, 1902.

W. A. M. Threlwood

Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 3891.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Maud M. Shippe,

Annona, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 3925
Laura Brackeen, et al.,	M C R 3926
Willet Shannon, et al.,	M C R 3927
Malinda Malaney, et al.,	M C R 3973
Susan J. Perkins, et al.,	M C R 3829
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3831
Sallie Homer Morgan, et al.,	M C R 3832
Sallie Stanley, et al.,	M C R 3848
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W Cross,	M C R 3855
Joel A. Shannon, et al.	M C R 3856
Laura J. Duncan, et al.	M C R 3849
Rosie E. Stanley, et al.,	M C R 3850
Minnie A. Adshire, et al.,	M C R 3851
Nannie F. Akers, et al.,	M C R 3852
Alice Akers, et al.,	M C R 3858
Bessie Milford, et al.,	M C R 3854
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willettta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
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Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al ,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

• These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

“Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior.”

Said decision concludes as follows:

“It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(Signed)

Tamc Bixby.

Registered.

Acting Chairman.

COPY.

WCR 3891

Muskogee, Indian Territory, November 20, 1903.

Maud W. Shippe,
Annona, Texas.

Dear Madam:

You are hereby notified that on November 5, 1903, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3891

For Identification as a Mississippi Choctaw.

Date OCT 30 1901 SHIPE

Name Maud M. Shipe

Age 22 - Blood Don't know.

Post Office, Annona, Texas,

Father: C. W. Shipe, d

Mother: ~~Ad~~ Idella Garland, l.

Claims through Mother

~~Children.~~

Claims for self
alone

Stenographer

Neal Delford

Choctaw MCR 3892

James M. Yates

See MCR 3878

MCR 3892

Department of the Interior.
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 30, 1901.

#3002.

In the matter of the application of James M. Yates for
identification as a Mississippi Choctaw.

Applicant represented by John Lendon, Attorney.

James M. Yates, being first duly sworn, upon his oath
testifies as follows:

Examination by the Commission.

- Q What is the name? A James M. Yates.
Q What is your age, Mr. Yates? A Sixty-three years.
Q What is your post office address? A Ladena, Fannin County,
Texas.
Q What? A Ladena, Texas.
Q L-a-d-e-n-a? A d-e-n-i-a.
Q How long have you lived there at Ladena? A Since last March
a year ago, at that place.
Q Where were you born? A I was born in what is now Lamar County.
Q Did you ever live anywhere except in Texas? A No sir, not to
make my home.
Q Always lived in Texas? A Yes sir.
Q What is your father's name? A William Yates.
Q Is he living? A No sir.
Q Is your mother living? A No sir.
Q What was her name? A Minerva Yates.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been enrolled as a Choctaw Indian or recog-
nized as one by the Choctaw Tribal Authorities or the United
States Authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A In Lamar
County. It was then in Red River County. That was before Lamar
County was created.
Q Do you know what date? A On January 28th, in 1880.
Q Have you the proof of their marriage with you? A Yes sir, at
least the Bible record.
Q You purpose to file it? A Yes sir. I haven't got their marriage
certificate, but I have the Bible record.

(2).

- Q Are you married? A Yes sir.
Q Is your wife living? A Yes sir.
Q What is her name? A Elisabeth G. Yates.
Q Is she a white woman or an Indian? A She's a white woman.
Q Not Indian? A No sir.
Q Have you any children under twenty-one years of age and unmarried?
A No sir.
Q You claim for yourself alone then do you Mr. Yates? A Myself
alone.
Q Is your name on any of the tribal rolls of the Chectaw Nation in
the Indian Territory? A No sir.
Q Have you ever made application for enrollment as a citizen of
the Chectaw Nation to the Chectaw tribal authorities? A No sir.
Q Have you ever sought to become enrolled as a Chectaw citizen by
making application to the Commission to the Five Civilized Tribes
under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Chectaw Nation
by either the Chectaw Tribal Authorities, the Commission to the
Five Civilized Tribes, or the United States Court in Indian Terri-
tory? A No sir.
Q Is this the first application of any kind that you have ever made
for enrollment as a Chectaw citizen, either to the Chectaw Tribal
Authorities or the United States Authorities? A Yes sir.
Q Do you now come before the Commission for the purpose of being
identified as a Mississippi Chectaw claiming rights in the Chectaw
lands in the Indian Territory under Article XIV of the Treaty of
Dancing Rabbit Creek? A Yes sir.
Q Do you understand Article XIV of the Treaty of 1830? A Yes sir,
I think so. I have heard it read several times.
Q And explained? A Yes sir.
Q You think you understand it well enough now without a further
explanation? A Yes sir, I do.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Chectaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Chectaw citizen, but if they ever remove are not to be entitled to any portion of the Chectaw annuity."

(3).

- Q How as you have heard that read and explained do you know if any of your Choctaw ancestors ever complied with the provisions of Article XIV of the Treaty of 1830? A I do not.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation was she to you? A She was my grandmother.
- Q Your mother's mother? A Mother's mother.
- Q Did you know her? A Yes sir.
- Q How did she look? What was her personal appearance? A What's that?
- Q How did she look? What was her personal appearance? A She was rather dark, I called her dark, my recollection is. It's been a good many years ago.
- Q Dark skin? A Dark skin, yes sir.
- Q What was the color of her eyes? A I don't remember that.
- Q Do you remember the color of her hair? A I think it was dark, though she was getting gray in the latter part of her life.
- Q Where did she die? A My understanding is, and recollection is, she died in Red River County.
- Q In Texas? A Yes sir.
- Q Do you remember when? A No sir, I do not, but my impression is it was about '56 of '57. My impression is it was about that time my recollection is that my grandfather died in '55 and she lived a year or two longer.
- Q Do you know where she was born? A Do not.
- Q Did she ever live in the old Choctaw Nation in Mississippi and Alabama? A I do not know.
- Q Do you know through whom she claimed her Choctaw blood? A No sir.
- Q Do you know her husband's name? A Jesse Shelton, my grandfather.
- Q What was his occupation? A He was a trader and Indian Agent.
- Q Was he a white man? A Yes sir, he was considered a white man.
- Q That was his business was it, he was a trader furnishing supplies for the Government in the transportation of the Choctaw Indians from the old Choctaw Nation to this? A Yes sir, as far back as we can recollect.
- Q Do you know whether he lived in Mississippi? A I do not.
- Q Was he there in the transaction of his business? A I don't know.
- Q Did your grandmother, Rachael Shelton, speak the Choctaw language? A I do not think she did.
- Q Did she have a Choctaw Indian name? A I don't know that. I don't know sir.
- Q What was her maiden name, Rachael what? A My understanding is it was Rachael Harris. Recently I have heard that.
- Q Have you heard this matter of your having Choctaw blood talked of in the family for sometime? A Yes sir, it's been thrown at us all our lives a little.
- Q Always talked of it frequently? A No sir, just mentioned occasionally. There was an old Negro man that my father raised and he was with me a great deal on the road wagoning sometimes, and he told me that we had Indian blood in us is all I know.
- Q It wasn't a matter that was talked of so much was it? A No sir, we didn't talk of it. Rather rebelled when we heard it.
- Q The fact of this reluctance to own a strain of Indian Blood is the reason why there is so little known in the family isn't it? A Probably so.
- Q You never did hear your mother speak much about it did you? A No

(4).

- sir, never heard her speak of it at all that I knew of.
- Q How old was she when she died? A I don't recollect. She died in-----I think she was born in '17 and she died in '95. I just haven't counted the age, but that's about it.
- Q Do you know where she was born? A I do not.
- Q Do you know where she lived during her lifetime? A No sir, all that I know of her she was in Texas.
- Q And died there? A Yes sir.
- Q Do you know where in Texas she died? A Yes sir, at my house in Western Texas.
- Q What date? A It was in February, I think, '95.
- Q And you live where? A I live at Ladena Texas, now.
- Q She died there? A She died in West Texas. I was living there at that time.
- Q What place? A Wellington, Collingsworth County.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them within six months after the ratification of the Treaty of 1830, go to the United States Indian Agent and tell him that they intended to stay in Mississippi and take land there, do you know? A I do not, no sir.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A I don't know that they did.
- Q Did any of them ever claim any land or benefits under Article XIV of the Treaty of 1830? A I don't know that they claimed it. I have heard that they received scrip.
- Q Did they claim any benefits or any land under any other article of the Treaty than Article XIV or under the supplement of that Treaty? A I don't know that they did.
- Q The United States Indian Agent, Colonel Ward, who lived in Mississippi in 1830, was instructed by the Government to make a list of the names of all Choctaw Indians who came before him within six months from the ratification of the Treaty of 1830 and told him that they wanted to stay in Mississippi, take land there, and become citizens of the United States. This was required because of the conditions of Article XIV of the Treaty of 1830, and a great many Indians did, pursuant to the provisions and conditions of that article go to him within the time limited, but the register made by him, called Ward's Register contains the names of comparatively few of the whole number of Indians who actually made declarations of intention under Article XIV. His neglect to make a proper record in these cases caused Indians who held land in Mississippi to lose the land, many of them, because the Government dispossessed them and sold their land and improvements. This caused so many complaints among the Indians that in 1837 by an Act of Congress approved March 3rd of that year, a Commission was appointed by Congress which Commission went to Mississippi and heard claimants under Article XIV, and made a list of all those who appeared there, those that were successful and those that were not. In 1848 another Commission was appointed by Congress for the same purpose, and that Commission heard all claimants who came before it under Article XIV. Did any of your Choctaw ancestors go before either of those two Commissions and claim benefits as Choctaw Indians or receive any? A I don't know. I have just heard about this scrip business is all I ever heard.
- Q Who received that scrip from the Government, do you know? A My grandmother, Rachael Shelton, I have heard.

(5).

- Q If she received scrip from the Government, or a certificate as they were called, it was because of the fact that she went before the Commission of 1842 and proved that she had had land and that the Government had taken it from her and that she was entitled to that land under Article XIV of the Treaty of 1830. This Commission having found this to be true would give her scrip. You claim that that is the manner in which she received it? A Yes sir, you sir.
- Q Have you any proof of that fact now? A We think we have, yes sir.
- Q You think you can have that proof if given time? A Yes sir, I think so.
- Q

Reasonable time will be given this applicant in which to furnish documentary evidence or any other proper evidence in support of this application which he makes for identification as a Mississippi Choctaw.

- Q Do you understand the Choctaw language? A I don't, no sir.
- Q You have no knowledge of it? A No sir, no knowledge of it.
- Q Is there anything further you would like to say in support of this claim? A No sir, I don't know that there is.

The following names persons have appeared for identification as Mississippi Choctaws before this Commission, all claiming through the same common ancestor with this applicant, Rachael Shelton, and their testimony is to be considered in connection with him.

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones.

Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shippe

This applicant has the appearance and physical characteristics of being descended from white parentage; brown eyes, medium dark complexion, and gray hair formerly black. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belfed, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901. *Hal Belfed*
Subscribed and sworn to before me this 4th day of January, 1902.

Wm. M. Hall
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWSON,
TAMM BENT,
THOMAS D. NEEDHAM,
C. R. BRADKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

H. C. R. 1908.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1908.

James M. Yates,

Ladonia, Texas.

You are hereby advised that on the 23rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 3925
Laura Brackeen, et al.,	M C R 3926
Willet Shannon, et al.,	M C R 3927
Malinda Malaney, et al.,	M C R 3978
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3343
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W. Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. B. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

James Bixby.

Acting Chairman.

Registered.

MOR 3892

COPY.

Muskogee, Indian Territory, November 20, 1905.

James M. Yates,

Ladonia, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3892

For Identification as a Mississippi Choctaw.

Date

OCT 30 '91

Name James M. Yates

Age 63 — Blood Don't know

Post Office, Ladonia, Texas,

Father: William Yates, d

Mother: Minerva " d

Claims through mother
wife, Elizabeth C. Yates, W.

~~Children:~~

claims for self
alone —

Stenographer

Hal Relford

Choctaw MCR 3893

Victor L. McGlosson

See MCR 3878

MCR 3893

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3293.

In the matter of the application of Victor L. McGlasson, for the identification of himself and his three minor children, Victor L. Jr., Louise, and Russell McGlasson, as Mississippi Choctaws.

Applicant represented by John Landon, Attorney.

Victor L. McGlasson, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is the name? A Victor L. McGlasson, M-c-G-l-a-s-s-o-n.
Q Victor? A Yes sir.
Q M-c-? A G-l-a-s-s-o-n.
Q What is your age? A Thirty-three.
Q What is your post office address? A Rexton, Texas.
Q How long have you lived at Rexton? A I have lived at Rexton since the first of September this year, 1901.
Q Where were you born? A In Lamar County, Texas.
Q Did you always live in the State of Texas? A Yes sir.
Q Most of your time in Lamar County? A Yes sir, most of the time in Lamar County.
Q What is your father's name? A George W. McGlasson.
Q Is he living? A No sir.
Q What is your mother's name? A Mary L. McGlasson.
Q Is she living? A No sir, she's dead.
Q Through which parent do you claim Choctaw blood? A Through my mother.
Q How much do you claim? A I don't know how much.
Q Has your mother ever been recognized in any way or enrolled as a Choctaw Indian, or as a member of that tribe, by either the Choctaw Tribal Authorities or the United States Authorities? A I do not know.
Q Have you the proof of the marriage of your father and mother? A No sir, I haven't it but I can get it.
Q You purpose to file evidence of that fact do you with your papers in this case? A Yes sir.
Q Are you married? A No sir, I am a widower. My wife's dead.
Q What was her name? A Emma Moore.

(2).

- Q Emma McGlasson? A Yes, Emma McGlasson.
Q She was a white woman? A Yes sir.
Q No Indian blood? A None that I know of.
Q Have you any children of whom she is the mother that you want to make application for? A Yes sir, I have three.
Q What are their names? A Victor L. Jr., the eldest, nine years old.
Q Next? A Louisa, seven.
Q Next? A Russell, five.
Q Is that all? A Yes sir, that's all.
Q Was Emma McGlasson the mother of these children? A Yes sir.
Q Are they living with you at your home? A No sir, they are living with my sister, two of them and one with the grandmother.
Q You are supporting them are you not? A Yes sir.
Q When and where were you married to your wife, Emma McGlasson? A In Ladonia in 1890.
Q Texas? A Yes sir, Ladonia Texas, in Fannin County.
Q Do you remember the day of the month? A 24th day of December.
Q By a minister under a license? A Yes sir.
Q Have you the proof of that marriage with you? A Yes sir.
Q You purpose to file it do you? A Yes sir.
Q You claim for yourself and these children? A Yes sir.
Q Is your name or the names of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir, not that I know of.
Q Did you ever make application for yourself and children for enrollment in the Choctaw Nation? A No sir.
Q To the Choctaw Tribal Authorities? A No sir, I have not.
Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the Act of Congress of June 10, 1896? A Have not.
Q Were you ever enrolled with your children as members of the Choctaw Tribe of Indians, by either the Choctaw Tribal Authorities, or the United States Authorities in the Indian Territory? A No sir.
Q Never were admitted by a judgment of the United States Court in Indian Territory? A No sir.
Q Is this the first application for citizenship that you have ever made for yourself and children either to the Choctaw Tribal Authorities or the United States Authorities? A Yes sir.
Q Do you now claim the right to be identified as a Mississippi Choctaw, and for the identification also of these children as Mississippi Choctaws claiming under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A Yes sir, I have heard it read and explained a number of times and I think I understand it.
Q Do you think you understand it without repetition? A Yes sir, I understand it as well as I could.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation

(3).

of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now after having heard that read and explained do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty?
- A No sir, I do not.
- Q Did they do any of those things that were enumerated there in that article? A I do not know.
- Q What is the name of your ancestor through whom you claim your right to be identified? A Rachael Shelton.
- Q What relation was she to you? A My great-grandmother.
- Q You claim through your mother? A Mary L. McGlasson.
- Q What was her maiden name? A Mary Shelton.
- Q She claimed through which, her father or mother? A Through her father.
- Q What was her father's name? A Harvey Shelton.
- Q What? A Harvey Shelton.
- Q Where was he born? A Harvey Shelton? I don't know.
- Q Where did he die? A He died in Red River County, I think.
- Q Did he ever live in Mississippi? A I am not sure about that. He died in Lamar County instead of Red River.
- Q Do you know when he died? A In 1863.
- Q How old would he be if he were living now? A He was about forty-two years old when he died in '63.
- Q He'd be about a hundred wouldn't he? A Yes sir, he's be---he died in '63-----a hundred years old.
- Q You say he was how old in '63? A I think he was forty-two.
- Q Forty-two-----and that's forty-one years ago. He's be about eighty years old, between eighty and eighty-five? A Yes sir.
- Q Do you know whether he ever lived in Mississippi? A No sir.
- Q Or Alabama? A No sir.
- Q He claimed his Choctaw blood through whom father or mother? A Through his mother, I think.
- Q What was her name? A Rachael Shelton.
- Q What was her husband's name? A Jesse Shelton.
- Q Was he a white man? A I think so. I never did see him.
- Q How much Choctaw blood did she have? A I don't know. I never did see any of them.
- Q You don't know whether she ever lived in Mississippi or Alabama? A No sir.
- Q You don't know where she was born or when? Q I don't know where she was born? A Rachael Shelton do you mean?

(4).

- Q Yes. A She was born I think in 1785.
- Q 1785? A Yes sir, but I don't know where. I think the record shows she was born in 1785.
- Q Do you know whether any of your ancestors were Choctaw Indians living in Mississippi and Alabama in 1830 and were the heads of families there at that time? A No sir, I do not.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I do not know.
- Q Did any of your Choctaw ancestors to your knowledge within six months from the ratification of the Treaty of Dancing Rabbit Creek, go to the United States Indian Agent, Colonel Ward, and tell him that they wanted to take land there and become citizens of the United States? A I do not know. If they did I don't know anything about it.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi under Article XIV of the Treaty of 1830? A They might have but I don't know anything about it.
- Q Do you know if they claim any benefits or any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A Under any other article?
- Q Yes, under any other article than XIV or under the supplement of that treaty? A I think so. I think they did.
- Q Have you any evidence of the fact whether they did or not? A No sir, I haven't any positive evidence myself.
- Q That treaty was ratified in 1831 on the 24th day of February. Article XIV of that treaty required that the Indians who stayed back there in Mississippi under the treaty and under Article XIV, should go to the United States Indian Agent within six months from that date when the treaty was ratified and tell him that they intended to stay there, and wanted to take land in Mississippi and become citizens of the States. Their names then should have been placed upon a register made out by Colonel Ward, who was the agent at that time. That would be their authority for taking land in Mississippi as a beneficiary under Article XIV of the treaty, but Colonel Ward failed to record the names of most of the Indians who went before him and made those declarations. As a result of his neglect a great many Indians who had land in Mississippi upon which they had improvements had both the land and improvements taken from them and sold. This caused a great deal of distress among the Choctaw Indians and a great many complaints and as a result of these complaints Congress in 1837 appointed a Commission and this Commission went to the state of Mississippi and heard claimants under Article XIV and made lists of the names of all who appeared before it. In 1842 another Commission was appointed by Congress for the same purpose, and that Commission made lists of a great many claimants under Article XIV. Did any of your Choctaw ancestors appear before either of these two Commissions and make any claim for benefits under Article XIV of that treaty? A No sir, I don't know myself positively. I have heard that they made a claim for some scrip or got some scrip or something of the kind.
- Q Who did receive scrip? A Rashael Shelton.
- Q Your great-grandmother? A Yes sir.
- Q Have you any proof of that? A No sir, we have not any here.
- Q You knew what that scrip was didn't you? A Yes sir.
- Q A certificate entitling them to land in one of four different states, Mississippi, Alabama, Louisiana and Arkansas. You think you can prove that point if you are allowed time? A I think perhaps we could.

(5).

Reasonable time will be allowed this applicant in which to introduce documentary evidence or any other proper evidence in support of this application which he makes for himself and children.

Q Do you speak or understand the Chectaw language? A No sir.
Q Is there anything further you want to say in support of this claim
A No sir.

The following names persons, claiming through Rachael Shelton, the same common ancestor through whom this applicant claims have made application before the Commission for identification as Mississippi Chectaws and their testimony is to be considered in connection with the above:

Mary L. Crook
Lillian Befford
Roberta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie W. Coleman
Texannah Jones
Fannie Long.

Thomas J..R.Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lela A. Haraway
Idella Garland
Maud N. Shipe
James M. Yates
Ada Shelton.

This applicant has the appearance and physical characteristics of being descended from white parentage except that he has dark complexion, black eyes, black hair, showing in all probability traces of Chectaw blood, although he does not know the quantity of Chectaw blood he has, has no knowledge of the Chectaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 4th day of January, 1902.

Hal Belford

Mount Pleasant
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS E. NEEDLES,
C. R. BRIDGEMAN.

ALLISON L. ATLEWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2821.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 28, 1903.

Victor L. McGlasson,
Rexton, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.,	M C R 3356
Laura J. Duncan, et al.,	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Teranna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al ,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGN)

Tama Bibb.

Registered.

Acting Chairman.

MOR 3893

COPY.

Muskogee, Indian Territory, November 20, 1905.

Victor L. McGlasson,
Roxton, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and three minor children, Victor L. Jr., Louise and Russell McGlasson, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Victor L. Mc Glasson

Age 33 — Blood don't know.

Post Office, Roxton, Tex.

Father: George M. McGlasson; d.

Mother: Mary L. " d.

Claims through mother,
wife, Emma M. McGlasson
(d) white.

Children:

Victor L. " Jr.	9
Louise "	7
Russell "	5

Claims for self
and children

Stenographer Hal Belford

Choctaw MCR 3894

Cora T. Porter

See MCR 3878

MCR 3894

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 30, 1901.

#3894.

In the matter of the application of Cera T. Porter for
identification as a Mississippi Chectaw.

Applicant represented by John London, Attorney.

Cera T. Porter, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A My full name? Cera Therese Porter.
Q What is the last? A Therese Porter, but if the record has been
displayed here to-day as given in infancy, it's been contracted.
Q Cera T.? A Yes sir.
Q P-e-r-t-e-r? A Yes sir.
Q What is your age? A I am fifty-eight.
Q You mean forty-eight? A Fifty-eight.
Q What is your post office address? A Paris, Texas.
Q How long have you lived there? A Eighteen years in the town of
Paris. All of my life in the County.
Q What county is it? A Lamar County. I was born in the Republic
of Texas, but it's Lamar County now.
Q You always lived in that County? A Yes sir.
Q What is your father's name? A Harvey Shelton.
Q What? A Harvey Shelton.
Q Is he living or dead? A Dead.
Q Is your mother living or dead? A Dead.
Q What was her name? A Mary Susan Latimer.
Q Well, did she marry a second time or is that her maiden name?
A That was her maiden name.
Q Shelton is the name then? A Yes sir.
Q Through which parent do you claim Chectaw blood? A Father.
Q How much Chectaw blood do you claim? A I don't know.
Q Has your father ever been recognized as a Chectaw Indian? A I
don't know.
Q Or placed upon the Chectaw rolls by either the Chectaw tribal
Authorities or the United States Authorities? A I think not.
Q When and where were your father and mother married? A In Lamar
County, in 1841.
Q Do you remember the day of the month? A They were not married in

(2).

- Lamar County. They were married in Red River County, in '41.
- Q What month? A I think in January. I wouldn't be positive because our records are at home, not with me but with this branch of the family.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A David D. Porter.
- Q How much Choctaw blood has he? A None.
- Q Do you make any claim for your husband? A No sir.
- Q How many children have you that you want to make application for under twenty-one years of age and unmarried. A I would like to make for one under twenty-one but I can't.
- Q Married? A They are all married except this girl.
- Q She's over twenty-one years of age is she? A Yes sir.
- Q Then you make application for yourself alone I guess? A Yes sir for myself alone.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A Not that I know of.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No.
- Q Have you ever made application to be admitted as a citizen of the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896, that is five years ago? A No.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the Dawes Commission, or the United States Court in Indian Territory? A No.
- Q Is this the first application that you ever made for enrollment as a Choctaw citizen, or for citizenship rights in the Choctaw Nation either to the Choctaw Tribal Authorities or the United States authorities? A Yes sir.
- Q Do you now seek to be identified as a Mississippi Choctaw, claiming rights under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you claim under that article of that treaty? A Yes sir.
- Q Do you understand Article XIV of the treaty of 1830? A Yes sir.
- Q You understand it pretty well? A Yes sir.
- Q You have heard it read a number of times and explained? A Yes sir.
- Q Don't you want to hear that explained once more? A No sir, I don't. That's one question I can be positive about.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the

(3).

ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now you have heard that read and explained. Do you know if any of your Choctaw ancestors complied with its provisions? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation was she to you? A She was my father's mother, consequently my grandmother.
- Q Your father's name was what? A Harvey Shelton.
- Q Harvey Shelton-----did he ever live in Mississippi? A No sir.
- Q Did his mother ever live in Mississippi? A I do not know.
- Q You never heard that she did did you? A No sir.
- Q How much Choctaw blood did she have to your knowledge? A I can't estimate it.
- Q Never heard? A No sir. I was quite young.
- Q Did you ever see her? A No.
- Q What was her appearance. How did she look compared with these Choctaw Indians and half bloods that you see. These older ones have testified as to her appearance and I would rather not testify to that because I was a child. Certain characteristics that I remember I think was characteristic of the Indian outside of complexion and color. Understand I was quite a child, but things always impressed me, and as I recollect it her strongest point wasn't her complexion.
- Q That's just what I want to get. A That is they come nearer to what I know better in other lines.
- Q What were they now? A Well, I would have to be more thoroughly acquainted with the original.
- Q What struck you as being Indian in it? A It never struck me at all because it was foreign to my thinking, positively no.
- Q Well, what impresses you at this time, looking back? A I'd rather not put just such an estimate as I would put on it before these people, because I would rather you refer to the older ones. They could remember better.
- Q Well, you can do as you please but you will have helped your case if you do and you will hurt it if you don't? A Well, I thought it was a peculiar disposition, although I wasn't there with the others enough to know, still, remarks that I have heard since led me to believe.

By Attorney.

- Q Do you remember what particular one? A Well, I think this is becoming too important for me to go further with it, because I was simply a child as I tell you.
- Q She was of a morose disposition was she? A Yes, non-communicative at times, moody. That's the great peculiarity that I thought she had.

(4).

By the Commission.

- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian Territory with the other Indians when they went there? A I do not know.
- Q Did any of your Choctaw ancestors own any land or any improvements on land in Mississippi or Alabama in 1830 that you ever heard? A No.
- Q Did any of your Choctaw ancestors within six months after the Treaty of 1830 was ratified go to the United States Indian Agent Colonel Ward and tell him that they wanted to live in Mississippi and take land there? A Not that I know of.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama in 1830? A Not that I know of.
- Q Under Article XIV of the Treaty of 1830? A No sir.
- Q Did they own or claim any land or any benefits whatever under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I know only what I have heard from the older ones, that she had a claim, that she had probably a claim.
- Q What was that claim do you know? A It was scrip, that is farmers scrip.
- Q Did she receive scrip? A Yes sir.
- Q She received scrip or a certificate to entitle her to select land in place of the land that had been taken from her by the Government? A That's what I understand.
- Q When that treaty was passed and ratified, which was in February, the 24th day of February, 1831 it was ratified, the Agent there in Mississippi was instructed by the Government to put the names of all Indians down upon his list if they came to him within six months after the ratification of that treaty and said that they claimed under Article XIV. They had to tell him that they wanted to stay in Mississippi and take land there and become citizens of the United States, and then they could go out into the state of Mississippi and take land if they hadn't done so, they would be placed upon land by the Government, and their selection must in the main be taken where they had improvements, had had their improvements previously. Now the Indian Agent didn't put all the names of those Indians down on his list called Ward's Register. A great many went to him and declared their intentions of taking land and then went out and took land, but when the Government came along afterwards and found them upon this land they were dispossessed of it by the Government because their names were not on Ward's list. He neglected to put their names there. He neglected that way with a great many of those applicants who came before him. Of course this caused to many complaints on the part of the Indians that in 1837 Congress appointed a Commission. This Commission went to Mississippi and heard claimants under Article XIV of that treaty and made a list of the names of successful claimants. In 1842 another Commission was appointed by Congress for the same purpose, and they made ----- that Commission made lists of the names of successful claimants and of all claimants who appeared before it. Do you know whether any of your ancestors appeared before either of those two Commissions and claimed any benefits under Article XIV? A I don't.
- Q You presume don't you that Rachael Shelton must have had scrip which was issued by that Commission or 1842? A Yes sir.
- Q The scrip was not issued by the Commission of 1842, but by the

(5).

Government after the Commission of 1842 had passed upon her right to have it. You think you can prove that if you are given time?

A Yes sir.

Q You have no documentary evidence that you want to present now?

A No sir.

Here John Bondon, Attorney for the applicant requests leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to present documentary evidence or any other proper evidence in support of this application she makes for her self.

- Q Do you speak Choctaw? A Not since I can remember.
Q Is there anything you want to say now in support of this case. Anything that you can add? A I think not.
Q You were married once before were you not Mrs. Porter? A Yes sir
Q What was your first husband's name? A John S. Gordon.
Q John S. What? A Gordon. John S. Gordon
Q G-o-r-d-o-n ? A Yes sir.
Q He is dead is he? A Yes sir.
Q What was his nationality, that is in reference to white? Was he an Indian or a white man? A Well, he was a white man.
Q When and where were you married to John S. Gordon? A In Clarks ville, Red River County, in 1861.
Q By a minister under a license? A Yes sir. Mrs. Berry is the Gordon child. The others are Porter.

The following names persons have made application for identification as Mississippi Choctaws before this Commission claiming through the same common ancestor, Rachael Shelton, and their testimony and the records in their cases are to be considered in connection with this application.

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie W. Coleman
Texannah Jones
Fannie Long.

Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shipe
James M. Yates
Victor L. McGlasson.

This applicant has the appearance and physical characteristics of being descended from white parentage, except she has traces of Choctaw blood in dark complexion, black eyes, and gray hair formerly black. She does not understand the Choctaw language

(8).

and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 11 day of January, 1902.

Charles Mitchell Wood
Notary Public

COPY

COMMISSIONERS
HENRY L. DAWES,
TAMM DIXIE,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3884.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Cora T. Porter,
Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W Cross,	M C R 3855
Joel A. Shannon, et al.	M C R 3856
Laura J. Duncan, et al.	M C R 3849
Rosie E. Stanley, et al.,	M C R 3850
Minnie A. Adshire, et al.,	M C R 3851
Nannie F. Akers, et al.,	M C R 3852
Alice Akers, et al.,	M C R 3853
Bessie Milford, et al.,	M C R 3854
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberts I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al ,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamc Bixby.

Acting Chairman.

Registered.

MCR 3894

COPY.

Muskogee, Indian Territory, November 20, 1905.

Cora T. Porter,
Paris, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3834

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Cora J. Porter

Age 58 Blood Don't know

Post Office, Paris, Texas

Father: Harry Shelton, d.

Mother: Mary S. " d.

Claims through father

~~husband~~ 2nd — David D. Porter w.

No claim for husband

1st Husband John S. Gordon, (d) w.

~~children~~

Claims for self
alone

Stenographer Nell Bedford

Choctaw | MCR 3895

Cora E. Lindsay

See MCR 3878

MCR 3895

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 30, 1901.

#3575.

In the matter of the application of Cera E. Lindsay
for the identification of herself and her three minor children,
Leslie E., Robert E., and Georgia E. Lindsay, as Mississippi
Choctaws.

Applicant represented by John Lenden, Attorney.

Cera E. Lindsay, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Cera Estelle Lindsay.
Q What is the last? A L-i-n-d-s-a-y.
Q What is your age? A Twenty-nine.
Q What is your post office address? A DeKalb, Texas.
Q D-s K-? A a-l-b.
Q Is that all one word? A No sir, it's a capital "K".
Q How long have you lived at De Kalb? A Eight years.
Q Where did you live before that? A Paris, Texas.
Q Where were you born? A In Lamar County, Routh.
Q And have always lived in Texas, have you? A Yes sir.
Q What is your father's name? A David D. Porter.
Q David D. Porter? A Yes sir.
Q Is he living? A Yes sir.
Q What is your mother's name? A Cera T. Porter.
Q Cera T.? A Yes sir.
Q She appeared for identification just on this date, October 30th,
didn't she? A Yes sir.
Q You claim your Choctaw blood through your mother? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized as a Choctaw Indian or en-
rolled upon the Choctaw Tribal Rolls, by the Choctaw Authorities
or by the United States Authorities in the Territory? A No sir.
Q Have you the proof of the marriage of your father and mother?
A No sir.
Q Do you remember when and where they were married? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A W. E. Lindsay.
Q What is his nationality? A He's white.

(2).

- Q Do you make application for him? A No sir.
- Q Have you any children you desire to make application for? A Three
- Q All under age? A Yes sir.
- Q What is the oldest? A Five.
- Q What is the name? A Leslie F.
- Q L-e-s-l-i-e? A Yes sir.
- Q Boy? A Yes sir.
- Q What is the name of the next? A Robert Porter.
- Q What is his age? A Three.
- Q And the next? A Georgia Berry.
- Q G-i-e? A g-i-a.
- Q Leslie F., is that a girl? A It's a boy.
- Q How old is Georgia B.? A One year.
- Q You claim for yourself and these children do you not? A Yes sir.
- Q Is W. L. Lindsay the father of these children? A Yes sir.
- Q Are they living with you at your home? A Yes sir.
- Q When and where were you married to him? A In Paris, Texas.
- Q What day of the year and month? A April 3, 1893.
- Q By a minister under a license? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Did you ever make application for enrollment as a Choctaw citizen to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship with your children in the Choctaw Nation either by the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application that you have ever made of any description for yourself and children for citizenship in the Choctaw Nation either to the Choctaw Tribal Authorities or the United States Authorities? A Yes sir.
- Q Do you now seek to be identified as a Mississippi Choctaw and seek the identification of your children as Mississippi Choctaws claiming benefits under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir, I think I do.
- Q Do you think you understand it well enough to make this application for yourself and children, or would you like to have it further explained and read to you? A No sir, I think I understand it well enough?
- Q You waive the explanation do you? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living

(3).

with him ever ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that explanation a number of times and as you have heard it read, do you know whether any of your Choctaw ancestors ever complied or attempted to comply with its provision?
A No sir, I do not.
- Q What is the name of your ancestor through whom you claim your Choctaw blood? A Rachael Shelton.
- Q Do you know how much Choctaw blood she had? A No sir.
- Q What relation was she to you? A My great-grandmother.
- Q Do you know when and where she was born? A No sir.
- Q When and where she died? A No sir.
- Q Do you know whether she ever lived in the old Choctaw Nation in Mississippi or Alabama? A I do not.
- Q Do you know whether she spoke the Choctaw language or had a Choctaw Indian name? A I do not.
- Q You don't know-----never heard that she lived in Mississippi or was there in 1830? A No sir.
- Q You don't know where she died? A No sir.
- Q You claim through your mother do you not? A Yes sir.
- Q Where was your mother born and when? A My mother was born at Rexten, Lamar County now, in 1842.
- Q She claims through which parent, father or mother? A Her father Harvey Shelton.
- Q What was his name? A Harvey.
- Q Harvey? A Shelton.
- Q Harvey Shelton-----did he ever live in Mississippi or Alabama? A I do not know.
- Q Do you know where he was born or when? A No sir.
- Q Do you know where he died and when? A He died in '63, 1863, I don't know where.
- Q You don't know whether he died in Texas? A Yes, he died in Texas, I know that, in Red River County, I believe.
- Q You don't know whether any of your Choctaw ancestors ever lived in Mississippi or Alabama? A No sir.
- Q Did you ever hear that any of Rachael Shelton's ancestors lived in Mississippi or Alabama? A I don't know.
- Q Did any of your Choctaw ancestors claim any land in Mississippi or Alabama under Article XIV of the Treaty of panning Rabbit Creek? A No sir.
- Q Did they ever claim any land or any benefits under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q Did any of your Choctaw ancestors within six months from the ratification of the treaty of 1830 go to the United States Indian Agent and tell him that they wanted to stay in Mississippi and

(4).

- take land there? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1840? A I can't say.
- Q The United States Indian Agent who lived in Mississippi in 1830 and in 1831, was required by the Government to make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the treaty of 1830, which was the 24th day of February, 1831, and declared their intentions of remaining in Mississippi, taking land there and becoming citizens of the United States. This United States Indian Agent made a list called Ward's register which contains the names of only a few of those applicants who went before him the greater number who appeared before him under the provisions of Article XIV of that Treaty failed to have their names put upon Ward's list. He neglected to do so. This negligence of his caused many Indians who had land in Mississippi and Alabama to lose the land. The Government took it and sold it. This caused so many complaints among the Indians that in 1837 Congress appointed a Commission which Commission went to Mississippi and heard claimants who came before it claiming benefits under Article XIV of the Treaty of 1830. In 1842 Congress appointed another Commission for the same purpose and this Commission heard claimants who came before it under that article. Do you know if any of your Choctaw ancestors appeared before either of those two Commissions, that of 1837 or the Commission of 1842 and claimed benefits under Article XIV of that treaty? A No sir.
- Q You never heard? A No sir.
- Q Did you ever hear that any of your ancestors received any scrip from the Government of the United States as Choctaw Indians? A Yes, I have heard that.
- Q What did you ever hear about that? A Nothing except that she received scrip.
- Q Who was that? A Our great-grandmother, Rachael Shelton.
- Q What did she do with that scrip? A I don't know what she did with it.
- Q You never saw it? A No sir.
- Q You know what that scrip was don't you? It was a certificate? A Yes sir.
- Q And it entitled the holder to select land in Mississippi, Alabama, Louisiana or Arkansas, and was given by the Government to those Indians who went before the Commission of 1842 and proved that they had a right under Article XIV of that treaty where it also appeared that their land had been taken from them. It presupposes that your ancestor, Rachael Shelton had held land and had that land taken from her. You don't know about that though? A No sir.
- Q Have you any documentary evidence now here in support of this claim? A No sir.

Here John London, Attorney for the applicant, asks leave to file written evidence in support of this application within the near future.

(5).

reasonable time will be given this applicant in which to file documentary evidence in support of this application which she makes for herself and children. Also all proper evidence she desires to present.

Q On October 29 and 30 the following persons made application for Identification as Mississippi Choctaws, viz:

Mary L. Crook	Alice I. Compton
Lillian Bedford	Jesse R. Shelton
Roberta I. Coleman	Elmer J. Shelton
Jessie C. Smith	E. Pearl Shelton
John W. Crook	Irene Thomas
Charles O. Crook	Florence Carson
Walter J. Crook	Lola A. Haraway
Stella W. Schultze	Ada Shelton
Marvin B. Crook	Idella Garland
Maggie M. Coleman	Maud M. Shippe
Texannah Jones	James M. Yates
Fannie Long	Victor L. McGlasson
Thos J. R. Yates.	Cora T. Porter.

- Q Are these all relatives of yours? A Yes sir.
Q All claim through Rachael Shelton? A Yes sir.
Q Do you want to have their testimony considered with yours in order that you may get the benefit of what they have said in regard to common descent, common ancestry? A Yes sir.
Q Do you speak Choctaw? A No sir.
Q Don't understand it? A No sir.

This applicant has the appearance and physical characteristics of being descended from mixed ancestry composed of white and Indian blood judging from the fact that she has dark complexion black eyes, and black hair. This would show a strain of Choctaw blood. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

p-----

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 4 day of January, 1902.

Hal Belford

Carroll H. Wood

Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3895.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Cora E. Lindsay,
De Kalb, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W. Murphy, et al.,	M C R	3925
Jeunie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Acting Chairman.

NUMBER IN REPLY TO THE FOLLOWING:

MUR 3895

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 20, 1905.

Gora E. Lindsay,
DeKalb, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and three minor children, Leslie F., Robert P. and Georgia B. Lindsay, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

W. O. Beall

Acting Commissioner.

DEPT. OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 14 1903



CHAIRMAN

REGISTERED

APR 13 1903

MUSKOGEE, INJ. TER.

CONFIDENTIAL TO THE FBI, CIVIL RIGHTS DIVISION
FILED
APR 14 1903

CONFIDENTIAL

REGISTERED
APR 18 1903
MUSKOGEE, INJ. TER.

Return to sender 987
uncashed for

~~Gora B. Lindsay,~~

~~De Kalb, Texas~~



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.





FILED
DEC 30 1905
COMMISSION TO FIVE TRIBES

3895-
Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



RECEIVED
Cora E. Lindsay,

~~DeKalb, Texas~~

No. 3895

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

Name *Cora E. Lindsay.*

Age *29,* Blood *Don't know.*

Post Office, *Ne Kalh, Texas.*

Father: *David D. Porter, l.*

Mother: *Cora T. Porter, l.*

Claims through *mother*
husband *W. L. Lindsay, w.*
No claim for husband

Children:

<i>Leslie</i>	<i>7, boy</i>	<i>"</i>	<i>5</i>
<i>Robert</i>	<i>P,</i>	<i>"</i>	<i>3</i>
<i>Georgia</i>	<i>B, girl</i>	<i>"</i>	<i>1</i>

Claim for each of
children -

W. L. Lindsay

Choctaw MCR 3896

Georgia B. Porter

See MCR 3878

MCR 3896

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 20, 1901.

#3396.

In the matter of the application of Georgia B. Porter
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Georgia B. Porter, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Georgia B. Porter.
Q What is your age? A Twenty-one.
Q What is your post office address? A Paris, Texas.
Q How long have you lived at Paris or near there? A About eight-
teen and a half years.
Q Do you live right in Paris? A No sir.
Q Have you a Street Number? A No sir, live on Bonham Road, a mile
and a half from Paris. It's West Paris.
Q Is Paris the post office address? A Yes sir.
Q Where were you born? A Boxton, Lamar County.
Q In what County is Paris? A Lamar.
Q Always lived in that County? A Yes sir.
Q What is your father's name? A D. B. Porter.
Q David? A Yes sir.
Q He is living is he not? A Yes sir.
Q Your mother's name is what? A Gera Therese Porter.
Q Gera Therese? A Yes sir.
Q She has appeared for identification here to-day has she not?
A Yes sir.
Q You claim your Choctaw blood through your mother? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know. Can't
tell you.
Q Has your mother ever been recognized as a Choctaw Indian or en-
rolled as a member of that Tribe by the Choctaw tribal authorities
or the United States authorities? A No sir.
Q You are making application for yourself alone? A Yes sir.
Q You are not married then? A No.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
the Indian Territory? A No sir.

(2).

- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation or enrolled as a member of that nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application for citizenship or enrollment in the Choctaw Nation either to the Choctaw Tribal Authorities or the United States Authorities? A No sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the lands of the Choctaw Nation, Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand Article XIV of the Treaty of 1830? A I have heard it read often enough.
- Q Have you heard it read more than two or three times? A Yes sir.
- Q How many times do you think? A About twelve.
- Q Wouldn't you like to have that explained further? A I am not particular.
- Q You waive an explanation? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw Annuity."

- Q Now do you know whether any of your Choctaw ancestors claim any benefits or received any, or complied in any manner with the provisions of that Article XIV as read and explained to you? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q Do you know whether she was a Choctaw Indian? A No sir.

(3).

- Q Do you know how much Choctaw blood she had? A No sir.
- Q Did you never hear in the family how much she had? A No.
- Q You claim through your mother? A Yes.
- Q Your mother appeared for identification to-day? A Yes.
- Q Where was she born? A I don't know where she was born.
- Q Do you remember how old she is? A Yes sir, I know how old she is.
- Q How old is she? A She's fifty-eight.
- Q Now through whom does she claim her Choctaw blood? A Her father.
- Q Her father, what was his name? A Harvey Shelton.
- Q Harvey Shelton? A Harvey Shelton.
- Q Do you know where he was born? A No sir.
- Q Do you know when he was born? A Yes, 1821.
- Q What day of the month? A I don't know what day of the month.
- Q You don't know where? A No, I don't know where.
- Q How much Choctaw blood did he have? A I don't know.
- Q Did he speak the Choctaw language? A I couldn't tell you.
- Q Did he have an Indian name? A No sir, not that I know of.
- Q He claimed his Choctaw blood through which parent? A Mother.
- Q What was her name? A Rachael Shelton.
- Q Now do you know whom she married? A Married Jesse Shelton.
- Q Was he a white man? A I think so.
- Q When were they married? A I can't tell you.
- Q Do you know when they were married? A No sir.
- Q Do you know where they were married? I don't know when they were married. I know when they were born but I don't know when they were married.
- Q Didn't you ever hear that she nor her husband lived in the old Choctaw Nation in Mississippi or Alabama? A No sir.
- Q Don't you know through which parent she claimed her Choctaw blood? A No sir.
- Q Didn't she claim through her father? A I don't know.
- Q What was her father's name? A I don't know.
- Q What was her maiden name? A Marrs. She was Rachael Marrs.
- Q What was his given name? A I don't know.
- Q You don't know anything about her parents? A No.
- Q Now do you know whether any of your Choctaw ancestors were recognized members of the Choctaw Tribe of Indians in Mississippi or Alabama in 1830 and were the heads of families there at that time? A Do not.
- Q Do you know whether any of your Choctaw ancestors owned any improvements on land in Mississippi or Alabama in 1830? A Do not.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent, Colonel Ward that they intended to stay in Mississippi and take land there and become citizens of the United States? A I don't know.
- Q Did you ever hear that any of your Choctaw ancestors went to the new Choctaw Nation with the other Indians between 1833 and 1838? A No sir.
- Q Did any of your Choctaw ancestors claim any benefits such as land or money or scrip? A I think so.
- Q Under Article XIV of the Treaty of 1830? A I think so, scrip.
- Q Do you know whether any of your Choctaw ancestors claimed any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q You know what the supplement of a treaty is don't you? A Yes sir I know as much as I might know if it was explained.
- Q Now you spoke about scrip a little while ago. Exactly what do you

(4).

mean by scrip? A A certificate isn't it, entitling them to land in four other states.

- Q In Mississippi Alabama, Louisiana or Arkansas. Do you know just what way that scrip was issued to Indians under Article XIV? A No sir.
- Q The Act of Congress that was approved August 23, 1842, provided that if Choctaw Indians appeared before it and proved his claim under Article XIV, and it was shown that he had previously had his land taken from him by the Government, that he should be entitled to select land either in one of those states mentioned and that he should receive a certificate to that effect. That was the scrip we are speaking of. Do you think that Rachael Shelton received such scrip under that Act of Congress. Is that your idea? A Which Act is that XIV amendment, the Act of August 23 1842. I am not certain.
- Q The United States Indian Agent who lived in Mississippi in 1830 was told by the Government to make a list of the names of all claimants who came before him within six months from the ratification of the Treaty of Dancing Rabbit Creek and declared to him their intention to remain in Mississippi and take land there and become citizens of the United States. He made a list called Ward's Register, which contains only a few names, comparatively few of all those who did appear before him. The greater number who came before him had their names left off of any and all lists. They afterwards selected land, and some of them had had land before that time upon which they were living in Mississippi, and they had placed improvements upon that land, but they were dispossessed of the land and improvements; so, many complaints were made on account of this action by the Government, and in 1837 a Commission was appointed and this Commission went to Mississippi and heard those claimants under Article XIV of that Treaty and made lists of the names of all claimants who appeared before it. In 1842 Congress appointed another Commission to do the same thing and that Commission heard claimants under Article XIV of the Treaty of 1830. Did any of your ancestors appear before either of those Commissions do you know? A No.
- Q Unless Rachael Shelton appeared before that Commission of 1842 and received scrip from it. Do you think she did? A Probably.
- Q Do you think if you were given time you will be able to prove that? A Yes sir.
- Q You will try to anyway? A Yes sir.

Reasonable time will be allowed this applicant in which to furnish documentary evidence in support of this application she makes for identification as a Mississippi Choctaw.

- Q Is there anything further you would like to say now in support of this claim? A I believe not. Do
- Q Do you speak Choctaw? A No sir.
- Q On October 28, 29 and 30, the following names persons appeared for identification before the Commission at Atoka, all claiming to be descended from Rachael Shelton, the same ancestor from whom you claim your Choctaw descent:

(5).

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook

Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas

Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shippe
James M. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada S. Shelton

- Q Are these all relatives of yours? A Yes sir.
Q Do you desire to have the testimony in their cases and yours considered together that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. She shows the Choctaw blood in complexion, black eyes and black hair. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Hal Belford
Subscribed and sworn to before me this 4 day of January, 1902.

Charles Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

H.C.R. 3896.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Georgia B. Porter,
Paris, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mannie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mannie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mannie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Turn Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Sam Dickey.

Acting Chairman.

Registered.

1

MOR 3896

COPY.

Muskogee, Indian Territory, November 10, 1905.

Georgia B. Porter,
Paris, Texas.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on November 6, 1905, affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED


Acting Commissioner.

No.

3836

For Identification as a Mississippi Choctaw.

Date

OCT 30 1901

Name Georgia B. Porter

Age 2 1

Blood Don't know

Post Office, Paris, Texas.

Father: David D. Porter, l.

Mother: Cora T. " l.

Claims through mother

~~None~~

Claims for self alone.

Signature Hal. Belford

Choctaw MCR 3897

Johnnie G. Berry

See MCR 3878

MCR 3897

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3897.

In the matter of the application of Johnnie G. Berry
for the identification of herself and her two minor children, Mary L.
and Russell G. Berry, as Mississippi Choctaws.

Applicant represented by John Landon, Attorney.

Johnnie G. Berry, being first duly sworn, upon her
oath testifies as follows.

Examination by the Commission.

- Q What is your name? A Johnnie G. Berry.
Q J-e-n-? A J-e-h-n-n-i-e, it's a boy's name.
Q G.? A Yes sir, B-e-r-r-y.
Q What is your age? A Thirty-nine.
Q What is your post office address? A Brookston.
Q B-r-o-? A B-r-o-o-k-s-t-o-n.
Q How long have you lived at Brookston? A Nineteen years.
Q Where were you born? A In Clarksville, Red River County.
Q Texas? A Yes sir.
Q And did you remove from there to Brookston? A When I was eight
years old.
Q And have lived there since? A No sir, I moved to Rexton when I
was eight years old, and I lived there until I went to Brookston.
I have lived in Texas all the time.
Q All your life? A Yes sir.
Q What is your father's name? A John B. Gorden.
Q Is he living? A No sir.
Q What is your mother's name? A Cora T. Porter.
Q Has she made application for identification as a Mississippi Choctaw before the Commission on this date, October 30? A Yes sir.
Q You claim your Choctaw blood through your mother then do you?
A Yes sir.
Q How much Choctaw blood do you possess? A Not very much of it, I
think. I don't know.
Q How much were you told that you have? A I was told recently but
I wasn't told how much I had.
Q Now has your mother ever been recognized in any way as a member
of the Choctaw Tribe of Indians by either the Choctaw Tribal
Authorities or the United States Authorities in the Indian Terri-

(2).

- tory? A No sir.
- Q When and where were your father and mother married? A They were married in Clarksville, Texas, in '61.
- Q Do you remember the day of the month? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A William B. Berry.
- Q Is he an Indian? A No sir.
- Q What is he? A He's a white man.
- Q Do you claim for him? A Sir?
- Q You don't make any claim for him do you? A No, I don't make any claim for him.
- Q Have you children under twenty-one years of age and unmarried you want to make application for? A I have two.
- Q What is the name of the oldest? A Mary Louise is the first one, age fourteen.
- Q And the next? A Russell G.
- Q Two l's? A Two l's.
- Q How old? A Twelve.
- Q Is William B. Berry the father of these two children? A Yes sir.
- Q When and where were you married to him? A I was married to him in Roston, Texas, March of '82.
- Q Do you remember the day of the month? A 24th.
- Q You claim for yourself and these children do you? A Yes sir.
- Q Is your name or the names of these children on any of the tribal rolls of the Choctaw Nation in the Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation for yourself and children to the Choctaw Tribal Authorities? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A I have not.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application for citizenship in the Choctaw Nation for yourself and these children either to the Choctaw tribal authorities or the United States authorities? A No sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw for yourself or children? A Yes sir.
- Q Claiming under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q About how many times have you ever heard that? A Oh, I have heard it all day yesterday, I don't know how many.
- Q You have heard it explained? A Yes sir, I heard it explained fully.
- Q Do you waive the explanation of it now? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty and he or she shall thereupon be entitled to a reservation

(3).

of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent; If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have had that explained to you a great many times and as you understand it, having heard it read, do you know if any of your Choctaw ancestors complied with or attempted to comply with any of the provisions of that article of that treaty? A No sir.
- Q Could you give me the name of your ancestor through whom you claim your right now to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q Well now how much Choctaw blood did she have? A I don't know.
- Q Don't you know? A No sir.
- Q What was her husband's name? A Jesse Shelton.
- Q Was he a white man or an Indian? A He was a white man.
- Q Do you know what his occupation was? A Well, I have just been told you know that he was an Indian trader or something of that sort. He supplied the Indians.
- Q Is this what you want to say, that he furnished supplies as contractor to the Government, for the removal of the Indians from the old Choctaw Nation to this Choctaw Nation? A Yes sir.
- Q How much Choctaw blood did you ever hear that she had? A I never heard positively.
- Q Do you know when they were married, her husband and herself? A No sir, I do not.
- Q Do you know whether he ever lived in Mississippi, or whether he went there on business, and was going back and forth to the Territory? A I don't know. My impression is that he just lived going back and forth. I don't know.
- Q Do you know anything of her ancestors, her father or her mother? A No sir.
- Q Do you know what her maiden name was? A Marrs. Rachael Marrs.
- Q Through which parent did she claim her Choctaw blood? A I don't know.
- Q Did she ever speak the Choctaw language? A I don't know that either.
- Q Did she have an Indian name? A No sir, not that I-----I don't know.
- Q You claim through your mother, Cora T. Porter, do you not? A Yes sir.
- Q And she claims through which ancestor, father or mother? A Her father, Harvey Shelton.
- Q Harvey Shelton, is he living or dead now? A He's dead.
- Q Do you know how old he would be if he were living now? A About eighty years old.
- Q Do you know where he was born? A He was born in Texas, I think

(4).

I don't know.

- Q Do you know when and where he died? A Yes sir, he died in Red River County, in '63.
- Q Did he ever live in Mississippi? A No sir, I think not.
- Q He claimed through Michael Shelton, his mother, did he not? A Yes sir.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830, at the time that treaty was made, and were they heads of families there at that time any of them, do you know? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them within six months from the ratification of that treaty of 1830, go to the United States Indian Agent and tell him that they intended to stay in Mississippi and take land there and become citizens of the United States? A Not that I know of.
- Q Never heard that? A No sir.
- Q Did you ever hear that any of your Choctaw ancestors went from the old Choctaw Nation in Mississippi and Alabama, to the new Choctaw Nation in the Indian Territory with the other Indians between 1833 and 1840? A No sir.
- Q Did you ever hear that any of your Choctaw ancestors, some of them received land or claimed land in Mississippi or Alabama under Article XIV of the Treaty of Dancing Rabbit Creek? A No sir.
- Q Did you ever hear that any of your Choctaw ancestors received land or claimed it or benefits of some sort under some other article of the Treaty of 1830 than Article XIV of the treaty or under the supplement of that treaty? A I understood that my grandmother received scrip. Had some scrip but not the land. I mean that she didn't receive the land herself but the scrip.
- Q Well, after receiving the scrip didn't she select land? A Well not that we know of. Not that I know of.
- Q Never heard of that? A No sir.
- Q That scrip would entitle her to land wouldn't it? A Yes, I have been informed that way, I don't know.
- Q That is as you understand the matter? A That's as I understand it.
- Q The United States Indian Agent, Colonel Ward, who lived in Mississippi in 1830 was required by the United States Government to make a list of the names of all Choctaw Indian claimants who came before him within six months after the ratification of the treaty of 1830 and told him that they wanted to stay in Mississippi and take land there and become citizens of the United States. Now this United States Indian Agent failed to make a complete list of all of the Choctaw Indians who did that. He was very remiss in his duty in that respect, for in making out a list called Ward's Register, he failed to put upon it the names of the greater number of Choctaw Indians who came before him and made their declarations under Article XIV of the Treaty of Dancing Rabbit Creek. This caused a great many complaints on the part of the Indians so that in 1837 a Commission was appointed by Congress under an Act that was approved March 3rd of that year, and this Commission went to the State of Mississippi and heard claimants under Article XIV of the Treaty of 1830, and made lists of the names of all who appeared before it. In 1842 another Commission was appointed by Congress for the same purpose and this Commission also made lists of the names of claimants who appeared before it. Do you know whether any of your Choctaw ancestors appeared before the Commis-

(5).

sion of 1837 or the Commission of 1842 and claimed benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A No sir, I do not.

- Q Well now then where does that scrip come in. Must have gone before the Commission of 1842 to get it. A Well, I don't know.
- Q Well, do you understand that the scrip was issued after a person had appeared before the Commission of 1842 and had proved that they had rights under Article XIV of the Treaty of 1830, and that they had went before that Commission and proved that they had held land in Mississippi and that the Government had taken it away from them, and having proven this fact this Commission authorized the issuing to them of scrip, which was given to them by the Government you understand? A Yes, I understand that.
- Q Now have you any documentary evidence which tends to show that any of your ancestors received any such scrip from the Government? A No sir.
- Q Do you think if you were given a little time you would prove that? A Yes sir, I think so.

reasonable time will be allowed this applicant in which to present documentary evidence in support of this application she makes for identification as a Mississippi Choctaw for herself and children.

- Q Is there anything further you would like to say now in support of this claim? A No sir.
- Q On the 28th, 29th and 30th days of October, the following persons made application for identification as Mississippi Choctaws at Atoka, all claiming through the same common ancestor, Rachael Shelton. The names are as follows to-wit:

Mary L. Crook
Lillian Bedford
Robertia I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton.

Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lela A. Haraway
Idella Garland
Maud M. Shipe
James H. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter.

- Q Are they all relayed to you? A Yes sir.
- Q And they claim through the same ancestor through whom you claim do they? A Yes sir.
- Q Do you want to have their testimony considered as a part of your own that is considered with yours when the whole are considered together in order that you may get the benefit of what they have testified to? A Yes sir.
- Q Do you understand the Choctaw language? A No sir.

(6).

Q Or speak it? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that she has dark complexion, dark gray eyes, dark brown hair. She does not speak or understand the Chectaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Hal Belford
Subscribed and sworn to before me this 11 day of January, 1902.

Charles H. Hall

Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3897.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Johnnie G. Berry,

Brookston, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Beessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W. Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgin Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, B. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamc Bixby.

Registered.

Acting Chairman.

MOR 3897

COPY.

Muskogee, Indian Territory, November 20, 1905.

Johnnie G. Berry,
Brookston, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and two minor children, Mary L. and Russell G. Berry, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 5597

For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Johnnie G. Berry

Age 39 Blood Don't know.

Post Office, Brookston, Texas

Father: John S. Gordon, d

Mother: Cora T. Porter, l

Claims through mother -

Husband
William B. Berry, w.

No claim for husband

Children:

Mary L. Berry, 14

Russell G. " 12

Claim for self
and child son

Stenographer Hal Culbertson

Choctaw MCR 3898

Mary F. Kidd

See MCR 3878

MCR 3898

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 30, 1901.

#3898.

In the matter of the application of Marie F. Kidd for the identification of herself and her minor child, Johnnie K. Kidd, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Marie F. Kidd, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Marie F. Kidd, M-a-r-i-e .
Q Marie F.? A Kidd, K-i-d-d .
Q What is your age? A Thirty-two.
Q What is your post office address? A Breckston, Texas.
Q How long have you lived there? A I have lived there fifteen years.
Q Where were you born? A I was born in Lamar County, Texas.
Q You have always lived there have you, in Texas? A Yes sir, with the exception of a few months in Honey Grove, Fannin Countyp Texas
Q All the time in Texas? A Yes sir.
Q What is your father's name? A G. M. McGlasson.
Q What is that? A G. M. McGlasson.
Q Is he living? A No sir.
Q What is your mother's name? A Mary L. McGlasson.
Q Is she living? A No sir.
Q Through which of these parents do you claim Choctaw blood? A My mother.
Q How much do you claim? A I do not know.
Q Has your mother made application for identification here before the Commission? A No sir.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A They were married at Eli J. Shelton's house in Lamar County, an uncle that's here.
Q Lamar County, Texas? A Yes sir.
Q By a minister under a license? A Yes sir, in 1867.

(2).

- Q Are you married? A Yes sir.
Q What is your husband's name? A William E. Kidd
Q Is he a white man? A Yes sir.
Q Not Indian? A No sir.
Q You don't make any claim for him then? A No sir.
Q How many children have you? A I have one.
Q What is the child's name? A Johnnie K. Kidd.
Q Is that a girl? A A girl.
Q J-e-n- or J-e-h-? A J-a-h-n-n-i-e .
Q K. Kidd? A Yes sir.
Q How old is she? A She's twelve years old.
Q Is that all you have? A That's all, yes sir.
Q You claim for yourself and child? A Myself and child.
Q When and where were you married to William E. Kidd? A In Brookston Texas, 29th of September, 1887.
Q By a minister under a license? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities either for yourself or child? A No sir.
Q Is your child's name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application for yourself and your child to be enrolled as citizens of the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted together with your child to citizenship in the Choctaw Nation either by the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Have you ever before this time made application for citizenship in the Choctaw Nation for yourself and child either to the Choctaw Tribal Authorities or the United States Authorities? A No sir.
Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw and for the identification of this child as a Mississippi Choctaw claiming under Article XIV of the Treaty of 1830? A Yes sir.
Q You claim under that article of that treaty? A Yes sir, I think I do.
Q Do you understand article XIV of the Treaty of 1830? A Yes sir.
Q Do you claim under that? A Yes sir.
Q You understand that article of that treaty? A Yes sir.
Q Have you heard it read and explained? A Yes sir.
Q You think you understand it thoroughly? A Yes sir.
Q You waive a further explanation? A Yes sir.
Q Article XIV of the treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that

(3).

quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you understand that article after having heard it read and explained a number of times, do you know whether any of your Choctaw ancestors complied with any of the provisions of it as you understand it? A I do not know.
- Q You don't know? A No sir, I do not.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What was her husband's name? A Jesse Shelton.
- Q Was he a white man? A Yes sir.
- Q How much Choctaw blood did she have? A I do not know.
- Q When were they married? A I do not know.
- Q Do you know where they were married? A No sir.
- Q Do you know if they ever lived in the old Choctaw Nation in Mississippi or Alabama? A I do not.
- Q What was her father's name? A I do not know.
- Q What was her maiden name? A Marrs I suppose.
- Q Her father's name would be Marrs? A Bound to have been.
- Q Now do you know whether she claimed her Choctaw blood through her father or her mother? A No sir, I do not.
- Q You don't know anything about her parents? A No sir, I do not.
- Q You claim through your mother? A I claim through my mother, yes sir.
- Q And she claimed through which parent? A Her father, Harvey Shelton.
- Q His name was what? A Harvey Shelton.
- Q Do you know when and where he was born, Harvey Shelton? A No sir I do not.
- Q Do you know when and where he died? A No sir, he died in Red River County, I think. He died in Texas in Red River County I think.
- Q Do you remember the date? A No sir, I don't think I have it here.
- Q Did he ever live in Mississippi or Alabama in that old Choctaw Nation? A I do not know.
- Q Do you know whether any of your Choctaw ancestors lived there in that old Choctaw Nation in Mississippi or Alabama? A No sir, I do not.
- Q You don't know whether they lived there in 1830 and were heads of families there at that time? A No sir.
- Q Or were recognized members of the Choctaw Tribe of Indians then? A No sir, I don't.
- Q Did any of your Choctaw ancestors own any improvements on land in that old Choctaw Nation in Mississippi or Alabama in 1830 or any

(4).

time before that? A I don't know.

- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830, go to the United States Indian Agent, Colonel Ward, and tell him that they wanted to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors that you know if Choctaw Indians claim any land in Mississippi or Alabama under Article XIV of the Treaty of 1830? A I do not know.
- Q Did they claim any benefits or any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty if you know? A I don't know.
- Q When the treaty of 1830 was ratified, which was the 24th day of February, 1831, and it became operative between the Choctaw Indians and the United States Government, Article XIV in it required that all those Choctaw Indians who stayed back there in the old Choctaw Nation in Mississippi and Alabama should go to the United States Indian Agent and tell him that they wanted to stay in Mississippi and take land there and become citizens of the United States. This must be done within six months after the ratification of the treaty of 1830. The United States Indian Agent was required to make a list of the names of all Choctaw Indians who did that, so that afterwards if they took land there-----if those Indians took land in Mississippi or Alabama, their right to hold land would appear from the fact that they were on this list made by Ward, the United States Indian Agent. He made a list called Ward's register, but it contained the names of only a few of all those Indians who complied with Article XIV of that treaty so that later a great many Indians who held land under Article XIV and who took land and held land in Mississippi and Alabama, had that land taken from them by the Government and sold with improvements upon it. This was because their names did not appear on Ward's list. They had made their applications, but he had failed to put their names on his list. This caused a great many complaints among the Indians and Congress afterwards appointed a Commission by Act of Congress that was approved March 3 of that year. In 1837, this Commission went to the state of Mississippi and heard claimants under Article XIV of that Treaty and made lists of the names of all successful applicants and all applicants in fact that appeared before it. In 1842 Congress appointed another Commission which went to the State of Mississippi and this Commission also made a list of successful claimants under Article XIV and all other claimants who came before it. Do you know whether any of your Choctaw ancestors appeared before either of those two Commissions, the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV of that Treaty? A I do not.
- Q The Act of Congress that was approved August 23, 1842, provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim under Article XIV of that treaty, if at the same time it appeared that he had lost his land, that the Government had taken it from him, that he should be entitled to select land either in Alabama, Mississippi, Louisiana or Arkansas to be taken from vacant Government land, and that a certificate should be given to him to that effect. These certificates were called scrip. Do you know whether any of your Choctaw ancestors received any such scrip from the Government as Choctaw Indians? A I have heard that pachaol Shelton did.
- Q Did she get any land under that scrip? A I do not know.

(5).

- Q Do you know anything more about it than that she did get scrip from the Government? A No sir.
- Q Do you think you could prove that if given time? A I think so.

Reasonable time will be given this applicant in which to introduce such evidence of a documentary nature or any other proper nature applicable to this claim, to prove her identity as a Mississippi Choctaw.

- Q Do you speak Choctaw? A No sir.
- Q Understand it? A No sir.
- Q Is there anything more you want to say about this case? A No sir.
- Q On the 28, 29, and 30 of October there appeared before this Commission for identification as Mississippi Choctaws the following persons all claiming through Raphael Shelton, this Common Ancestor to-wit:

Mary L. Crook	Maggie M. Coleman	Lola A. Haraway
Lillian Bedford	Texannah Jones	Idella Garland
Roberta I. Coleman	Fannie Long	Maud M. Ships
Jessie C. Smith	Thomas J. R. Yates	James M. Yates
John W. Crook	Alice I. Compton	Victor L. McGinnis
Charles O. Crook	Jesse R. Shelton	Cora T. Porter
Walter J. Crook	Eli J. Shelton	Cora E. Lindsay
Stella W. Schultze	E. Pearl Shelton	Ada Shelton
Narvin B. Crook	Irene Thomas	Georgia B. Porter
	Florence Carson	Johnnie G. Berry.

- Are these all relatives of yours? A Yes sir.
- Q All claim through the same ancestor through whom you claim? A Yes sir.
- Q Do you want to have their testimony considered with yours when yours is considered in order that you may get the benefit of what they have testified to? A Yes sir, I do.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that she has dark skin, black eyes, black hair, which would tend to show Choctaw Indian blood, although she does not know how much such blood she has. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of the XIV article of the Treaty of Dancing Rabbit Creek.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 30, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 11th day of January, 1902.

Hal Belford
Charles W. Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

X.O.R. 3898.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Mary F. Kidd,

Brookston, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W. Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Fame Bixby.

Registered.

Acting Chairman.

M C R 398

Muskogee, Indian Territory, February 4, 1903.

Postmaster,

Brookston, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th ult., advising that you have on hand an undelivered registered letter from this Commission addressed to M. E. Kidd; that the addressee is dead, and you ask if delivery can be made to a member of the family.

In reply to your letter you are informed that delivery of this letter may be made to the husband of M.E.Kidd and his receipt taken therefor.

Respectfully,

Acting Chairman.

MOB 3898

COPY.

Muskogee, Indian Territory, November 20, 1905.

Mary F. Kidd,
Brookston, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1905, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and minor child, Johnnie K. Kidd, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

3898
For Identification as a Mississippi Choctaw.

Date OCT 30 1901

Name Mary F. Kidd

Age 32 Blood Don't know

Post Office, Brookston, Texas,

Father: G. M. Mc Glasson, d

Mother: Mary L. " d

Claims through mother
Husband: William E. Kidd, w.

No claim for husband

Children:

Johnnie K. Kidd, 12

Claims for self &
child -

Stenographer

Ace Belford

Choctaw MCR 3899

Clarence G. Hilburn

see MCR 3878

MCR 3899

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

43899.

In the matter of the application of Clarence G. Hilburn for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Clarence G. Hilburn, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Hilburn, H-i-l-b-u-r-n, C. G.
Q What is the first name in full? A Clarence Greenwood.
Q What is your age? A I am fifty.
Q What is your post office address? A Henrietta, Texas.
Q H-e-n-r-i-e-t-t-a? A Yes sir.
Q How long have you lived at Henrietta? A I have lived at Henrietta about sixteen years.
Q Where were you born? A I was born-----well now there's a controversy a little about that. My oldest brother says I was born in Red River County.
Q Where were you born, Mr. Hilburn? A I was born in Red River County.
Q Texas? A Yes sir.
Q And have always lived in Texas? A No sir, my father moved to Missouri when I was very young.
Q How long did you live in Missouri? A I don't remember about that time but since that time I have lived in Missouri again eight years.
Q Do you remember what years they were? A From '72 to '80.
Q How many years last past have you been in Texas? A I have been in Texas now about-----let me see-----
Q About? A Well, say about twelve years.
Q Twelve years? A Yes sir.
Q What is your father's name? A Francis M. Hilburn.
Q M.? A M., yes sir.
Q Is he living? A No sir.
Q What is your mother's name? A Marietta Hilburn.
Q Is she living? A No sir.
Q You claim through your mother? A Yes sir.
Q How much Choctaw blood do you claim? A I really don't know sir.

(2).

- Q Has your mother ever been recognized in any way or enrolled as a Choctaw Indian by the Choctaw Tribal Authorities in the Indian Territory? A I don't know sir.
- Q Have you proof of the marriage of your father and mother? A Well yes.
- Q You have that to file with your other papers? A Yes sir.
- Q Can you state when and where they were married? A Let's see, I believe I have got that here. They was married in 1845 I believe.
- Q 1845? A Yes sir.
- Q Where were they married? A Red River County.
- Q Texas? A Yes sir.
- Q What day of the month? A I don't remember the day of the month.
- Q By a minister under a license? A Yes sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Her maiden name you mean?
- Q No, her name as your wife? A Willie. Willie Hilburn.
- Q W-i-l-l-i-e ? A Yes sir.
- Q Is she a white woman? A yes sir.
- Q Do you make any claim for her? A No sir.
- Q Have you any children you want to make application for? A No sir.
- Q Just for yourself? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not to my knowledge.
- Q Have you ever been recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever made application to the Commission to the Five Civilized Tribes for membership in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time tried to become a member of the Choctaw Tribe of Indians by making application either to the Choctaw tribal authorities or the United States authorities? A No sir.
- Q Do you now come before this Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Well, only fairly well. Not thoroughly.
- Q Want to hear it read and explained? A I would prefer to I believe.
- Q The Treaty of 1830 was entered into between the United States Government and the Choctaw Indians at Dancing Rabbit Creek in Mississippi, and was made for the purpose of getting all of the Choctaw Indians who lived in the Choctaw Nation in Mississippi and Alabama, in the old Choctaw Nation, to the new Choctaw Nation in the Indian Territory. Before it was signed it became known that a great many Choctaw Indians wouldn't go to the new Choctaw Nation Indian Territory, and in order to protect their interests, Article XIV was put into the Treaty? Article XIV reads as follows:

"Each Choctaw head of a family
being desirous to remain and become a citizen of

(3).

the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Did any of your ancestors comply with the provisions of this article as read to you? A I do not know.
- Q You understand this now don't you? A Yes sir, I think so.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation is she to you? A She was my grandmother.
- Q Was she a Choctaw Indian? A I do not know, sir.
- Q Did she have any Choctaw blood? A I do not know sir.
- Q What is that? A I do not know. I never seen her.
- Q Do you claim Choctaw blood through her? A Through my mother, yes sir.
- Q Well, your mother is a daughter of Rachael Shelton? A Yes sir.
- Q Where did your mother get her Choctaw blood? A Through her, I suppose.
- Q You don't know? A No sir.
- Q When did your mother die? A She died in '83.
- Q 1883? A Yes sir.
- Q How old was she at that time? A She was fifty-two.
- Q Where was she born? A She was born in Red River County-----no she was born in Hempstead County, Arkansas.
- Q Arkansas? A Yes sir.
- Q Do you know when she was born? A '31.
- Q Where did she die? A She died in Cassville, Missouri.
- Q How do you know you have any Choctaw blood? A I do not know it.
- Q Well, you are making application for identification as a Mississippi Choctaw, and have you ever heard said in the family that you had Choctaw blood? A Well, I havn't heard it up until this case come out.
- Q Well, what have you heard? A I have heard that we were members of the tribe through my grandmother.
- Q What tribe? A This Mississippi tribe.
- Q Well, have you ever heard in a positive way that you had Choctaw blood? A No sir.
- Q You don't know much about that then? A No sir.
- Q Did your mother ever say that she had any Choctaw blood? A Never

(4).

- heard her say so, no sir.
- Q Well, who did you ever hear say that there was any Choctaw blood in your veins at all? A I have heard no one speak of it only since this case come up with the relatives.
- Q That's how short a time? A Two days.
- Q Two days? A Yes sir.
- Q You have learned in these two days that you had Choctaw blood? A Yes sir.
- Q Never heard a word of it before? A No sir, not till I was notified last Saturday to come up here.
- Q Who told you then, two days from the date of this application that you had Choctaw blood? A Well, our relatives here of the same family.
- Q Well, can you name any one that told you? A Well, Tom Yates is the one that notified me. He's the one that wrote me.
- Q What relation is he to you? A Cousin.
- Q And that's all you know about it? A Yes sir.
- Q Then you don't know whether any of your Choctaw ancestors lived in Mississippi or Alabama? A No sir.
- Q And you don't know whether any of them owned any improvements on land in Mississippi or Alabama in 1830? A No sir.
- Q You never heard whether any of them within six months after the ratification of the treaty of 1830 went to the United States Indian Agent, Colonel Ward, and told him they wanted to stay in Mississippi and take land there? A No sir.
- Q You never heard whether any of the Mississippi Choctaw ancestors claimed or owned any land under Article XIV of the Treaty of 1830? A No sir.
- Q Or whether they ever claimed or received any land or any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A No sir.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, the United States Indian Agent, Colonel Ward was required to make a list of the names of all Choctaw Indian claimants who came to him within six months from the ratification of the Treaty of 1830, and told him that they wanted to take land in Mississippi and become citizens of the United States. This Agent failed to record the names of most of the Indians who came before him within that time stated in Article XIV, and the result of his neglect to make a full list of those applicants within six months from the ratification of the treaty was that a great many Indians who had land in Mississippi had the land taken from them by the Government and sold. This caused a good many complaints among the Indians so that in 1837 a Commission was appointed by Congress by an act approved March 3rd of that year, and this Commission went to Mississippi and heard claimants under Article XIV of the Treaty of 1830, and made a list of the names both of those who were successful and who were not. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to Mississippi and also heard all claimants who came before it claiming under Article XIV. Do you know if any of your Choctaw ancestors went before either of those two Commissions and claimed benefits under Article XIV of that treaty? A No sir.
- Q Did you ever hear that Rachael Shelton or any of your Choctaw ancestors, if it can be proven in your case that you are descended from Rachael Shelton, ever received any scrip from the Government? A I have heard so.

(3)

- Q Heard so within two days, since you have been here? A Yes sir.
- Q Have you the proof that Rachael Shelton is your grandmother? A We think we have, yes sir.
- Q You think you can show that fact do you? A Yes sir.
- Q The Act of Congress approved August 23, 1842, provided that if any applicant came before the Commission of 1842 and proved his claim under Article XIV, if it was shown that he had previously had his land taken from him by the Government, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land, and that a certificate or scrip should be given to him to that effect. Is this the scrip that you heard Rachael Shelton received from the Government as a Chectaw Indian? A I don't know sir.
- Q Have you any documentary evidence to introduce now? A No sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to introduce proper evidence or testimony in support of this application.

- Q Do you speak Chectaw, or understand it? A No sir.

By Attorney.

- Q Was you raised with this family? A I was raised with the family till I was about twenty-one years of age.
- Q Been away since then? A Yes sir.

By the Commission.

The following named persons have appeared before the Commission for identification as Mississippi Chectaws claiming through Rachael Shelton, the same common ancestor through whom this applicant claims and their testimony is to be considered in connection with him.

Mary L. Crook	Texasnah Jones	Idella Garland
Lillian Bedford	Fannie Long	Maud M. Shipe
Roberta I. Coleman	Thomas J. R. Yates	James M. Yates
Jessie C. Smith	Alice I. Compton	Victor L. McGlasson
John W. Crook	Jesse R. Shelton	Cora T. Porter
Charles O. Crook	Eli J. Shelton	Cora E. Lindsay
Walter J. Crook	E. Pearl Shelton	Ada Shelton
Stella W. Schultze	Irene Thomas	Georgia B. Porter
Marvin B. Crook	Florence Carson	Jehnnie G. Berry
Maggie M. Coleman	Lola A. Karanya	Marie F. Kidd

(6).

This applicant has the appearance and physical characteristics of being descended from white parentage, gray hair, formerly brown, blue eyes. He has no knowledge of the Cheetau language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Hal Belford
Subscribed and sworn to before me this 4 day of January, 1902.

Chas. Mitchell Wood

Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAVES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 3899.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Clarence G. Hilburn,
Henrietta, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 3925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mury Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

James Dixby.

Acting Chairman.

Registered.

MOR 3899

COPY.

Muskogee, Indian Territory, November 20, 1905.

Clarence G. Hilburn,
Henrietta, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3839

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Clarence G. Hilburn

Age 30. Blood Don't know.

Post Office, Henrietta, Texas

Father: Francis M. Hilburn, D

Mother: Marietta " D

Claims through Mother.
-wife, Willie —, w.
No claim for wife.

~~Children:~~

Claims for self
alone.

Stenographer Hal Belford

Choctaw MCR 3900

Willetta M. Murphy

See MCR 3878

MCR 3900

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3900.

In the matter of the application of Willetta M. Murphy
for the identification of herself and her four minor children, Rus-
telle, Robert, Jessie and Roy S. Murphy, as Mississippi Choctaws.

Applicant represented by John Lenden, Attorney.

Willetta M. Murphy, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Willetta M. Murphy.
Q What? A Willetta M. Murphy.
Q How do you spell Willetta? A W-i-l-l-e-t-t-a .
Q M. or N.? A M.
Q Now the last? A Murphy.
Q What is your age? A Forty-seven.
Q What is your post office address? A Petty, Texas.
Q Two t's isn't it? A Yes sir, P-e-t-t-y .
Q How long have you lived in Petty? A All my life.
Q Born there? A Yes sir.
Q What is your father's name? A William Yates.
Q Is he living? A No sir.
Q What is your mother's name? A Minerva Yates, Minerva Shelton.
Q She is dead is she? A Yes sir.
Q Through which parent do you claim your Choctaw blood? A My moth-
er.
Q Through your mother? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized as a Choctaw Indian or en-
rolled as a member of that Tribe, by either the Choctaw tribal
authorities or the United States authorities? A No sir, I don't
know.
Q Can you tell when and where your father and mother were married?
A They were married-----I just don't know whether I can recol-
lect it or not.
Q Do you know by whom they were married? A No sir.
Q What? A No sir, I don't.
Q Were they married under a license by a minister? A Yes sir.

(2).

- Q Are you married? A Yes sir.
- Q What is your husband's name? A Murphy, Mortimer Murphy, M-o-r-t-i-m-e-r.
- Q Is he an Indian? A No sir.
- Q White man? A Yes sir.
- Q Do you make any claim for him? A No sir, just for myself and children.
- Q How many children do you want to make application for? A Four.
- Q What is the name of the oldest? A Estelle.
- Q E-s-t-e-l-l-e? A Yes sir.
- Q What is her age? A Twenty.
- Q The next? A Robert.
- Q What is his age? A Fifteen.
- Q Next? A Josie.
- Q J-o-s-i-e? A Yes sir.
- Q Girl? A Yes sir.
- Q How old? A Fourteen.
- Q Next? A Roy Shelton.
- Q What? A Shelton.
- Q Shelton, is that the Middle name? A Yes sir, Roy's the first name.
- Q How old is Roy? A Six.
- Q Is that all? A Yes sir.
- Q Is Mortimer Murphy the father of these children? A Yes sir.
- Q When and where were you married to him if you remember? A I have been recollecting it all the time but I can't recall it now. 1871.
- Q Were you married by a minister under a license? A Yes sir.
- Q These children all live with you I suppose? A Yes sir, they're with me.
- Q Were you married before you married this husband? A No sir.
- Q Was he ever married previous to his marriage with you? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory or the names of these children? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application you ever made of any kind for yourself and children-----A yes sir.
- Q For citizenship in the Choctaw Nation either to the Choctaw tribal authorities or the United States authorities? A Yes sir.
- Q Do you now come before the Commission to identify yourself and these children as Mississippi Choctaws claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A I don't know.
- Q Do you understand that article of that treaty? Article XIV? A No sir.
- Q You don't understand it very well? A No sir.
- Q Article XIV of the treaty of 1830 was put into that treaty for the sake of safeguarding and protecting the interests of these Choctaw Indians who after the treaty of 1830 was ratified refused to remove from the old Choctaw Nation in Mississippi and Alabama

(3).

and go to the new Choctaw Nation in the Indian Territory, that is this Nation here. That treaty of 1830 was made between the United States Government and the Choctaw Tribe of Indians who lived in the old Choctaw Nation in Mississippi and Alabama, for the purpose of getting them to come to this new Choctaw Nation where they might have their own Tribal Government, undisturbed by any other people, the white people or anybody else, but a great many refused to come and therefore Article XIV was drafted and put into the Treaty for their benefit, and then the treaty was signed and became ratified afterwards. Now Article XIV, which was put into this treaty for the especial benefit of those Mississippi Choctaws reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you think you understand that article fully now? A Yes sir.
- Q After having heard it read and explained do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of Article XIV of that Treaty? A No sir.
- Q Do you know whether they ever did? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What? A Rachael Shelton.
- Q What relation was she to you? A Grandmother.
- Q You claim through your mother do you not? A Yes sir.
- Q How old would she be if she were living now? A Righty four.
- Q Where was she born? A I don't know.
- Q What? A I don't know where she was born.
- Q Did she ever live in Mississippi or Alabama do you know? A No I don't know.
- Q She claimed through which parent, her father or mother? A Her mother.
- Q She claimed through her mother did she? A Yes sir.
- Q Her mother's name was what? A rachael Shelton.

(4).

- Q Now old would Rachael Shelton be if she were living now? A I don't know sir.
- Q You don't know when she was born? A No sir. Rachael Shelton was born October 12, 1785.
- Q You have it there on your memorandum havn't you? A Yes sir.
- Q When and where was she born do you know? A No sir.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did she have any Choctaw blood to your knowledge or from what you have heard in the family? A Yes sir.
- Q But you don't know how much? A No sir.
- Q Do you know what her father's name was or her mother's name? A I don't know that I do, no.
- Q What was her maiden name, do you know? A My mother's?
- Q No Rachael Shelton's. Your mother's maiden name was Shelton I think? A I don't know.
- Q Did any of your Choctaw ancestors go from the old Choctaw Nation in Mississippi or Alabama to the New Choctaw Nation Indian Territory between 1833 and 1838 with the other Indians? A I don't know.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830 and were they heads of families there at that time? A I don't know sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830, or any time before that? A I don't know.
- Q Did any of your Choctaw ancestors within six months from the ratification of the Treaty of 1830, tell the United States Indian Agent that they intended to stay in Mississippi and take land there, or Alabama? A I don't know, no sir.
- Q Did any of your Choctaw ancestors claim or receive any benefits under article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q Did any of your Choctaw ancestors claim or receive any benefits under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q After the Treaty of 1830 was ratified, that is, after the 24th day of February, 1831, all the Indians who belonged to the Choctaw Tribes in that old Choctaw Nation and who stayed back there in that Nation were required to go before the United States Indian Agent, Colonel Ward, within six months after the ratification of the Treaty of 1830, and tell him that they wanted to stay in Mississippi and take land there, and that they intended to become United States citizens. This Colonel Ward, United States Indian Agent was then required to place their names upon his list called his register, Ward's Register, in order that if they selected land in Mississippi they might hold that land their names being upon his register, which showed that they had a right to hold it. He neglected to make a complete list of the names of all who came before him under that article of that treaty, leaving off his list many Choctaw Indians who made applications under that article of that treaty. This neglect of his caused many Indians who held land in Mississippi to lose the land; it was taken from them and sold by the Government of the United States. This caused so many complaints in Mississippi and Alabama in that old Choctaw Nation that in 1837 Congress appointed a Commission; this Commission went to Mississippi and heard all claimants under Article XIV and made lists of the names of those who appeared before it. In 1842 another Commission was appointed by Congress for the same purpose

(5).

and they heard all Choctaw claimants who came before it under Article XIV of that treaty. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842 and claim benefits under Article XIV of that treaty? A. I don't know.

- Q The Act of Congress approved August 23, 1842 provided that if any claimant went before that Commission and proved his claim under Article XIV of the Treaty of Dancing Rabbit Creek, and if it further appeared that his land had been taken from him by the United States Government, that he should be entitled to select land either in Alabama, Mississippi, Louisiana or Arkansas, and that he should receive a certificate to that effect. These certificates were called scrip. Do you know if any of your Choctaw ancestors received any such scrip from the Government as Choctaw Indians? A. I don't know.
- Q Did you ever hear that Rachael Shelton ever received any scrip from the Government? A. Yes sir, she did.
- Q Do you know anything about it further? A. No sir.
- Q Do you know what that scrip was? A. No.
- Q Do you know whether it was money or a certificate or what? A. No sir, I do not.
- Q Have you any documentary evidence that you want to introduce now in support of this application? A. No sir.
- Q Have nothing now? A. Nothing now.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

A reasonable time will be allowed this applicant in which to introduce documentary or other proper evidence and also proof of the fact that any of her ancestors received scrip from the Government under Act of Congress approved August 23, 1842.

- Q Do you speak Choctaw? A. No sir.
- Q Understand it? A. No sir.
- Q Anything more you want to say in support of this claim? A. No.
- Q On the 28, 29, 30 and 31 of October the following people all claiming to be descended from the same Common Ancestor, Rachael Shelton came before this Commission for identification as Mississippi Choctaws, viz:

Mary L. Crook	Texannah Jones	Idella Garland
Lillian Bedford	Fannie Long	Maud M. Shipe
Roberta L. Coleman	Thomas J. R. Yates	James M. Yates
Jessie C. Smith	Alice I. Compton	Victor L. McGlasson
John W. Crook	Jesse R. Shelton	Cora T. Porter
Charles O. Crook	Eli J. Shelton	Cora E. Lindsay
Walter J. Crook	E. Pearl Shelton	Ada Shelton
Stella W. Schultze	Irene Thomas	Georgia B. Porter
Marvin B. Crook	Florence Carson	Johnnie G. Berry
Maggie M. Coleman.	Lela A. Haraway	Marie F. Kidd
		Clarence G. Hilburn

(6).

- Q Are these all relatives of yours, all these people that come here claiming through Rachel Shelton? A Yes sir.
- Q Do you want to have their testimony considered with yours in order that you may get the advantage of what they have testified to in your case? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. Medium dark complexion, blue eyes, dark brown hair. She has no knowledge of the Choctaw language and no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Wal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Wal Belford
Charles Mitchell

Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3900.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Willetta M. Murphy,

Petty, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4085
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Shob Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louisa McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Iame Kirby.

Registered.

Acting Chairman.

COPY.

MOR 3900

Muskogee, Indian Territory, November 20, 1905.

Willetta M. Murphy,
Petty, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and four minor children, Estelle, Robert, Josie and Roy S. Murphy, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3960

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Willetta M. Murphy

Age 47 Blood Irish Roman

Post Office, Petty, Texas,

Father: William Yates, D.

Mother: Minerva " D

Claims through Mother -
~~Husband~~

Mortimer Murphy, W.

No claim for husband

Children:

Estelle	Murphy	20
Robert	"	15
Jessie (nie)	"	14
Roy A.	"	6

Claim for self &
children

Stenographer Nell B. B. B.

Choctaw MCR 3901

Emma G. Stafford

See MCR 3878

MCR 3901

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3901.

In the matter of the application of Emma G. Stafford
for the identification of herself and her four minor children, Ralph,
Grover O., Tura D., and Nevada Stafford, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Emma G. Stafford, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Emma G. Stafford.
Q What? A Emma G. Stafford.
Q E-m-m-a? A Yes sir.
Q G. S-t-a-f-f-e-r-d? A Yes sir.
Q What is your age? A Forty-three.
Q Forty-three? A Yes sir.
Q What is your post office address? A High, Texas.
Q High? A Yes sir.
Q How long have you lived there? A All my life.
Q Born there? A Yes sir.
Q What County is that? A Lamar County.
Q What is your father's name? A William Yates.
Q Is he living? A No sir.
Q What is your mother's name? A Minerva Yates.
Q Is she living? A No sir.
Q You claim through which parent? A My mother.
Q How much Choctaw blood do you claim through your mother? A I
don't know sir.
Q Has your mother ever been recognized in any way or enrolled as
a member of the Choctaw tribe of Indians by either the Choctaw
tribal authorities or the United States authorities in the Indian
Territory? A I don't know sir.
Q Do you know when and where your father and mother were married?
A Where, did you say?
Q When and where? A No sir, I don't know where they were married;
they were married January 20, 1838.
Q You don't know where? A No sir.
Q Were they married by a minister under a license? A By a minister
Q Are you married? A Yes sir.

(2).

- Q What is your husband's name? A William Stafford. William L. Stafford.
- Q William Stafford? A William L. Stafford.
- Q He is a white man I guess? A Yes sir.
- Q You make no claim for him do you? A No sir.
- Q Have you any children you want to make application for? A Yes sir.
- Q Give me the name of the eldest? A Ralph.
- Q R-a-l-p-h? A Yes sir.
- Q Ralph-----all named Stafford are they? A Yes sir.
- Q What is his age? A Eleven.
- Q The next? A Nine.
- Q What? A Nine.
- Q Nine years old, what is the name? A Grover O. Stafford.
- Q Grover O.? A Yes sir.
- Q Next? A Tura Dow.
- Q How do you spell that? A T-u-r-a .
- Q Tura what? A Dow.
- Q D.? A Yes sir.
- Q Girl? A Yes sir.
- Q How old? A Six.
- Q Next? A Nevada.
- Q N-e-v-a-d-a? A Yes sir.
- Q Girl? A Yes sir.
- Q How old? A Four.
- Q Next? A That's all.
- Q You claim for yourself and these children do you? A Yes sir.
- Q Is William L. Stafford the father of these children? A Yes sir.
- Q You were not married were you before you married him? A No sir.
- Q He never was married before his marriage to you? A No sir.
- Q When and where were you married to him? A In 1881.
- Q '81? A Yes sir.
- Q 1881, what day of the month? A 24th of July.
- Q By a minister under a license? A I have got that wrong. It was the 25th. July 25th.
- Q By a minister? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q What? A No sir, I don't think it is.
- Q Or any of your children on the rolls? A No sir.
- Q Did you ever make application for citizenship for yourself and children in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to any authority or at any time before this time before the Dawes Commission now? A I have heard it mentioned through the Connections.
- Q Well, you never made application yourself did you for yourself and children? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application for citizenship in

(3).

the Choctaw Nation for yourself and children to any authority whatever? A No sir.

Q Do you now come before this Commission for the purpose of identifying yourself and children as Mississippi Choctaws under Article XIV of the Treaty of 1830? A Yes sir.

Q What? A Yes sir.

Q Do you understand that article? A No sir, not very good.

Q Do you understand what a treaty is? A No sir, I don't.

Q Do you know what a contract in writing is made between persons, where both of them sign the paper? A Yes sir, I think so.

Q It is an agreement, isn't it, between them? A Yes sir.

Q They are to merely do certain things for each other. A treaty is the same thing, only it is made between two or more nations instead of individuals, and called a compact instead of a contract. Such a treaty as that was made between the United States Government and the Choctaw Tribe of Indians in Mississippi in the old Choctaw Nation in 1830. It was made at Dancing Rabbit Creek in Mississippi in 1830, and was ratified on the 24th day of February 1831. This treaty was made for the purpose of getting all the Choctaw Indians who lived in Mississippi and Alabama in the old Choctaw Nation, to leave that nation and go to the new Choctaw Nation here in the Territory where we are now. Before it was signed it became known that a great many Choctaw Indians wouldn't go to the new Choctaw Nation Indian Territory and in order to protect their interests this article, called Article XIV was put into the Treaty. Then it was signed and ratified afterwards. Article XIV reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you understand that article? A Yes sir.

Q Did any of your ancestors comply with it or try to? A I don't know sir.

Q What is the name of your ancestor through whom you claim your

(4).

- right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q rachael Shelton? A Yes sir.
- Q Did she have any Choctaw blood? A I don't know sir.
- Q You don't know? A No sir.
- Q Do you know of any of your ancestors that had any Choctaw blood? A No sir.
- Q How do you know that you are a descendent of a Mississippi Choctaw then? A I don't know sir.
- Q What? A No sir, I don't know.
- Q Then you don't know that you have any Choctaw blood at all. You never heard it? A I have heard it when I was small.
- Q When and where did you hear that you had Choctaw blood and through whom? A Connections, my connections.
- Q Your relatives? A Yes sir.
- Q Can you give the names of any of them? A yes sir, my brother.
- Q Your brother, is he older than you? A Yes sir, and aunt.
- Q How much older? A Several years.
- Q Now who was this aunt that told you? A Mrs. Shelton.
- Q And she was very much older than you? A Yes sir.
- Q She told you you had Choctaw blood? A Yes sir.
- Q Did she tell you where you got it through whom? A On their side I have just heard it intimated.
- Q Through whom? What persons? Rachael Shelton? A Yes sir.
- Q But you don't know much about this Choctaw blood do you? A No sir.
- Q How long ago was it since you first heard-----when you first heard that you had any Choctaw blood? A It's been about thirty years.
- Q How many times have you heard it during the last thirty years? A Mentioned just a few times.
- Q Just a few times? A Yes sir.
- Q It wasn't talked about very freely was it? A No sir.
- Q Did Rachael Shelton have an Indian name? A I do not know.
- Q Did she speak the Choctaw language? A No sir, I don't know.
- Q Did she ever live in Mississippi or Alabama? A I couldn't say.
- Q Do you know when she was born? A She was born October 12, 1785.
- Q In what? A 1785.
- Q 1785? A Yes sir.
- Q When did she die and where, do you know? A No sir, I don't.
- Q You don't know where she was born? You told me when she was born but do you know where? A No sir, I do not.
- Q You don't know that she ever lived in Mississippi or Alabama? A No sir.
- Q Do you know what her husband's name was? A Jesse Shelton.
- Q What was his occupation do you know? A No sir.
- Q Was he a Choctaw or a white man? A I do not know.
- Q You claim through your mother? A yes sir.
- Q Where and when was she born? A I do not know where she was born.
- Q She was born-----you asked where she was born?
- Q Yes? A I do not know.
- Q Did she ever live in Mississippi or Alabama? A I do not know.
- Q Were any of your Choctaw ancestors residents of Mississippi or Alabama and were they heads of families there in 1830? A I do not know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I do not know.
- Q Did any of them within six months after the ratification of the

(5).

- Treaty of 1830, go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi and take land there? A I do not know.
- Q Did any of your Choctaw ancestors own any land in Mississippi or Alabama or claim any under Article XIV of the Treaty of 1830? A I do not know.
- Q Did they claim any land or any improvements or anything, under any other article of the Treaty of 1830 than Article XIV or under the supplement of that Treaty? A I do not know.
- Q Did any of them go from the old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation with the other Indians between 1833 and 1838? A I do not know.
- Q After the treaty of 1830 was ratified, that is, after the 24th day of February, 1831, the United States Indian Agent was required to put upon his list, which was afterwards known as Ward's Register, the names of all Choctaw Indian claimants who, pursuant to Article XIV of the Treaty of 1830, went to him within six months from the ratification of that treaty and told him that they wanted to stay in Mississippi and take land there. He made out this list known as Ward's Register, and placed upon it only a few of the names of those who came before him and made their declarations of intention to stay in Mississippi and take land there as required by Article XIV of that treaty. This neglect on his part caused a good many Indians to lose their land in Mississippi and Alabama and on account of the complaints that were made Congress in 1837 appointed a Commission and this Commission went to the State of Mississippi and heard all claimants under Article XIV of that Treaty, and approved some of them. In 1842 another Commission was appointed by Congress for the same purpose, and they heard all claimants that came before them under Article XIV and proved some of these claims. Did any of your Choctaw ancestors go before either of those two Commissions, that of 1837 or the Commission of 1842 and claim benefits under Article XIV of that treaty? A I do not know.
- Q Did you ever hear that Rachael Shelton or any of your Choctaw ancestors ever received any scrip from the Government as Choctaw Indians? A No sir.
- Q Never heard that Rachael Shelton ever got any scrip? A No sir.
- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian proved his claim before the Commission of 1842 and that his land had been taken from him previously that he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, and that scrip or a certificate should be issued to him to that effect. You never heard that she got any such scrip? A No sir.
- Q Have you any documentary evidence that you want to present now? A No sir.

Here John London, Attorney for the applicant asked leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which she makes for herself and children. Also to introduce any other proper evidence in this case.

(6).

- Q Do you speak or understand the Choctaw language? A No sir.
Q Is there anything more you would like to say in support of this claim? A No sir.
Q On October 28, 29, 30 and 31, there appeared for identification as Mississippi Choctaws before this Commission at Atoka the following named persons who claim through the same common ancestor, Rachael Shelton, to wit:

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton

E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shipe
James M. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willettta M. Murphy.

- Are these all relatives of yours? A Yes sir.
Q And do they all claim through the same ancestor through whom you claim, Rachael Shelton? A Yes sir.
Q Do you want to have the testimony in all these cases considered with yours that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, medium dark complexion, brown hair. She has no knowledge of the Choctaw language and no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Hal Belford
Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3901.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

James J. Stafford,
High, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Robertta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Thorese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Shob Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Kirby

Acting Chairman.

Registered.

MUR 3901

COPY.

Muskegee, Indian Territory, November 20, 1905.

Emma G. Stafford,
High, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

You are further advised that the application made by you for the identification of yourself and four minor children, Ralph, Grover O., Tura D. and Nevada Stafford, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Deall

Acting Commissioner.

No.

3901

For Identification as a Mississippi Choctaw.

Date

Oct 31 1901

Name Emma G. Stafford,

Age 43 - Blood not known

Post Office, Hugh, Texas.

Father: William Yates, d

Mother: Minerva " d

Claims through mother.

husband.

William L. Stafford, w.

No claim for husband

Children: Ralph Stafford, "

Grover O. " 9

Tura W. " 6

Nevada " " 4

Claims for self & children.

Stenographer

Hal Belford

Choctaw MCR 3902

Melville Yates

See MCR 3878

MCR 3902

Department of the Interior.
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 31, 1901.

#3902.

In the matter of the application of Melville Yates for the identification of himself and his three minor children, Mary A., Vera, and Myra Yates, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Melville Yates, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Melville Yates, M-e-l-v-i-l-l-e Y-a-t-e-s.
Q What is your age? A Forty.
Q What is your post office address? A High, Texas.
Q What? A High, Texas, Lamar County.
Q Where were you born? A In Texas.
Q Yes, whereabouts? A Lamar County.
Q Is High in Lamar County? A Yes sir.
Q You have always lived in Lamar County? A Yes sir.
Q What is your father's name? A William Yates.
Q He is dead now is he not? A Yes sir.
Q What is your mother's name? A Minerva Yates.
Q Dead? A Yes sir.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A I don't know sir.
Q You don't know? A No sir.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw Tribal Authorities or the United States Authorities in the Territory? A Not that I know of.
Q Do you know when and where your father and mother were married? A No sir.
Q By whom were they married, do you know? A No sir.
Q Have you their marriage license or certificate, or proof of their marriage with you? A No sir.
Q That will be furnished with the records? A Yes sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Ada Yates.
Q What is her nationality? Indian or white? A White woman.
Q What? A White.

(2).

- Q Do you make any claim for her? A No sir.
- Q Have you children you want to make application for? A Three.
- Q What is the name of the eldest? A Mary Alma Yates.
- Q What? A Mary Alma Yates.
- Q Mary A., is it? A Yes sir.
- Q What is her age? A Ten.
- Q Next? A Vera.
- Q V-e-r-a? A Yes sir.
- Q How old? A Seven.
- Q Next? A Myra.
- Q M-y-r-a? A Yes sir.
- Q How old? A Four.
- Q That is all is it? A Yes sir.
- Q Is Ada Yates the mother of these children? A Yes sir.
- Q You claim for yourself and children do you? A Yes sir.
- Q When and where were you married to your wife, Ada Yates? A Lamar County.
- Q Lamar County, Texas. When? What date? A Why, I don't remember.
- Q Will you furnish the evidence of your marriage? A Yes sir.
- Q Is your name or the name of any of your children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for yourself and children for citizenship or admission as members of the Choctaw Tribe of Indians to the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Did you ever make application for enrollment as members in the Choctaw Tribe of Indians for yourself and these children to the Dawes Commission under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or these children ever been admitted to citizenship in the Choctaw Nation by either the Commission to the Five Civilized Tribes, the Choctaw Tribal Authorities, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application you ever made for yourself and children for citizenship in the Choctaw Nation either to the Choctaw Tribal Authorities or to the United States Authorities? A Yes sir.
- Q Do you now come before the Commission for the purpose of being identified and for the identification of these children as Mississippi Choctaws under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand Article XIV of that treaty? A I think I do.
- Q You think you do-----did you ever hear it read and explained? A Yes sir.
- Q Several times? A Yes sir.
- Q Do you waive the explanation of it now? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey;

(3).

in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard it read and explained do you understand or know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified now as a Mississippi Choctaw? A Rachael Shelton.
- Q How do you know if she had any Choctaw blood? A No sir.
- Q Didn't you ever hear that she had a little? A Why, yes sir, I suppose I have, heard a little talk about it.
- Q When did you hear first? A I don't know. Just the past week.
- Q This past week. Is that all you ever heard in all your life? A Yes sir.
- Q Didn't you ever hear you were an Indian till last week? A No sir.
- Q Or had any Indian blood? A No sir.
- Q You claim through your mother do you not? A Yes sir.
- Q How much Choctaw blood do you claim through her? A I don't know.
- Q When and where was she born? A I couldn't tell you.
- Q When and where did she die? A Couldn't tell you.
- Q How old would she be if she were living now? A Do not know.
- Q She claimed through her mother didn't she? A Yessir.
- Q Rachael Shelton? A Yessir.
- Q Do you know anything about Rachael Shelton's father and mother? A No sir.
- Q When and where they were born? A No sir.
- Q Whether any of them lived in Mississippi or Alabama? A No sir.
- Q Or whether Rachael Shelton did? A No sir.
- Q Do you know whether any of your Choctaw ancestors lived in Mississippi or Alabama in 1830, and were recognized members of the Choctaw Tribe of Indians at that time? A No sir, I do not know.
- Q Did any of your Choctaw ancestors receive or claim any land in Mississippi under Article XIV of the Treaty of 1830? A No sir.
- Q Did they ever receive or claim any benefits or any land under any other article of the Treaty of 1830 than Article XIV or under the Supplement of that treaty? A No sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that year? A No sir.
- Q Did any of them within six months from the ratification of the Treaty of 1830 go to the United States Indian Agent and tell him that they intended to stay in Mississippi, take land there and

(4).

- become citizens of the United States? A No sir.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian Territory with the other Indians between 1832 and 1838? A No sir.

By Attorney.

- Q You don't know is what you intended to answer. Is that the idea? A Yes sir, I don't know, no.

By the Commission.

- Q The United States Indian Agent who lived in Mississippi in 1830 made a list called Ward's Register, which contained the names of only a few Indians who came before him within six months after the ratification of the Treaty of 1830 and told him that they intended to stay in Mississippi and take land there. He neglected to put upon his list the names of a great many Choctaw Indians who should have been placed there, having complied with the provisions of Article XIV of that Treaty, and his neglect caused the loss of the land and the improvements on that land of a great many Choctaw Indians who lived in Mississippi and Alabama. This caused so many complaints that in 1837 Congress appointed a Commission by an act approved March 3rd of that year, and this Commission went to the state of Mississippi and heard all claimants who appeared before it and claimed benefits under Article XIV of that Treaty. And this Commission also made a list of the names of all claimants who came before it. In 1842 Congress appointed another Commission for the same purpose, and this Commission also went to Mississippi and heard claimants under Article XIV of the Treaty of 1830, and made lists of the names of all who appeared there. Do you know whether any of your Choctaw ancestors came before either the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A No sir.
- Q The Act of Congress of August 23, 1842, provided that if any claimant who was an Indian appeared before the Commission of 1842 and claimed and proved his rights under Article XIV of that treaty, if at that time when he appeared there it became evidenced, was positively proven that he had had land taken from him by the government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land, and that a certificate should be given to him to that effect. These certificates were called scrip. Do you know whether any of your Choctaw ancestors, Rachael Shelton or any others received any such scrip from the Government as Choctaw Indians? A No sir.
- Q Have you ever heard that Rachael got any scrip? A No sir.
- Q Have you any documentary evidence that you want to present in this case in support of your application you make for identification of yourself and children? A No sir.

Here John London, Attorney for the applicant asks leave to

(5).

file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to furnish documentary or other proper evidence in support of this application he makes for himself and children.

- Q Do you speak Choctaw? A No sir.
Q Understand that language? A No sir.
Q Is there anything more you want to say? A No sir, I think not.
Q The following persons have appeared before this Commission for identification as Mississippi Choctaws on the 28, 29, 30 and 31 of October at its Office at Atoka, all claiming through the same common ancestor Rachael Shelton, to-wit:

Mary L. Crook	Fannie Long	James M. Yates
Lillian Bedford	Thomas J. R. Yates	Victor L. McGlasson
Rderta I. Coleman	Alice I. Compton	Cora T. Porter
Jessie C. Smith	Jesse R. Shelton	Cora E. Lindsay
John W. Crook	Eli J. Shelton	Ada Shelton
Charles O. Crook	R. Pearl Shelton	Georgia B. Porter
Walter J. Crook	Irene Thomas	Johnnie G. Berry
Stella W. Schultze	Florence Carson	Marie F. Kidd
Marvin B. Crook	Lola A. Haraway	Clarence G. Hilburn
Maggie M. Coleman	Idella Garland	Willettta M. Murphy
Texannah Jones	Maud M. Shipe	Emma G. Stafford

- Q Are they all relatives of yours? A Yes sir.
Q Do you want their testimony considered with yours when yours is taken up for consideration, in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, medium dark complexion, dark brown hair and brown whiskers and moustasch. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830?

o-----o

Hal Belford, being first duly sworn upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford
Notary Public
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.O.R. 3902.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Melville Yates,

High, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3378
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry B. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Charence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Canton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Lonise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph B. Johnson, Wirtter B. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totay Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED,

Tams Bixby.

Registered.

Acting Chairman.

MOR 3902

COPY.

Muskogee, Indian Territory, November 20, 1905.

Melville Yates,
High, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and three minor children, Mary A., Vera and Myra Yates, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Beall*
Acting Commissioner.

No.

398

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name

Melville Yates,

Age

40

Blood

Don't know.

Post Office,

Keef, Texas.

Father:

William Yates, d

Mother:

Minerva " , d

Claims through mother.

wife,

Ada Yates, w.

No claim for ~~him~~ ^{wife}.

Children:

Mary A. Yates, 10

Vera " 7

Myra " 4

Claims for self &
children.

Stenographer

W. B. Belford

Choctaw MCR 3903

Walter A. Jones

See MCR 3878

MCR 3903

Department of the Interior.
Commission to the Five Civilized Tribes:
Itasca, Indian Territory, October 31, 1901.

#1903.

In the matter of the application of Walter A. Jones
for the identification of himself and his three minor children, Jesse
W., Addie May, and Earnest Jones as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Walter A. Jones, being first duly sworn, upon his oath
testifies as follows.

Examination by the Commission.

- Q What is your name? A Walter A. Jones.
Q What is your age? A Thirty-five.
Q What is your post office address? A Bagwells.
Q What? A Bagwells, Texas.
Q How do you spell that? A B-a-g-w-e-l-l-s .
Q B-a-g-? A w-e-l-l-s .
Q How long have you lived there? A All my life.
Q Born there? A I wasn't born right at Bagwells. I was born in
Red River County.
Q In what County is that? A Red River.
Q What is your father's name? A Hardin I. Jones.
Q What? A Hardin I. Jones.
Q How do you spell that? A H-a-r-d-i-n .
Q I., is it? A Yes sir.
Q Is he living or dead? A He's living.
Q What is your mother's name? A Adelaide E.
Q A-d-e-l-a-d-e ? A Yes sir.
Q Is she living? A No sir.
Q Through which parent do you claim your Choctaw blood? A My mother
Q How much do you claim? A I don't know.
Q Has your mother ever been recognized as an Indian or enrolled as a
member of the Choctaw Tribe of Indians by either the Choctaw Trib-
al Authorities or the United States Authorities? A Not that I
knew of.
Q Do you know when and where your father and mother were married?
A They were married in Red River County, Texas.
Q Texas? A Yes sir.
Q What date? A It was in-----I don't know the exact date, but I
believe it was in '58.

(2).

- Q What day of the month? A I don't remember.
- Q Can you get the proof of their marriage? A Yes sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Florence. Florence D.
- Q Florence D.? A Yes sir.
- Q Is she an Indian? A No sir.
- Q White woman? A Yes sir.
- Q Do you make claim for her? A No sir.
- Q Have you children you wish to make application for? A Yes sir, I have three.
- Q What is the name of the oldest one? A The oldest one? Jesse W.
- Q J-e-s-s-i-e? A No sir, J-e-s-s-e.
- Q The next? A The next we call her by her full name? Addie May.
- Q What is her age? A Four years.
- Q The next? A Earnest.
- Q How old? A One year old.
- Q You claim for yourself and these children do you? A Yes sir.
- Q Is Florence D. the mother of these children? A Yes sir.
- Q You are the father? A Yes sir.
- Q They are living with you at your home? A Yes sir.
- Q Was she ever married before she married you? A No sir.
- Q Or you before you married her? A No sir.
- Q When and where were you married to her? A I was married to her in Red River County, in 1890.
- Q What date? A July 25th.
- Q By a minister under a license? A Yes sir.
- Q Have you your marriage license and certificate with you? A No sir, I havn't it with me.
- Q Do you think you can furnish proof of your marriage later? A Yes sir. I don't remember whether it was '90 or '91-----'90's right.
- Q Is your name or the name of any of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A Not that I know of.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Did you ever make application to the Commission to the Five Civilized Tribes for enrollment as a member of the Choctaw Tribe of Indians under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted with any of your children to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Did you ever before this time make application for citizenship in the Choctaw Nation, or membership in the Choctaw Nation for yourself or any of these children either to the Choctaw Tribal Authorities or the United States Authorities? A No sir.
- Q Is this the first application of any kind that you have ever made? A Yes sir.
- Q Either to the Choctaw Tribal authorities or to the United States Authorities? A Yes sir.
- Q Do you now come before this Commission for the purpose of identifying yourself and these children as Mississippi Choctaw Indians under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q Have you heard it read and explained a number of times? A Yes sir.
- Q You waive the present explanation of it? A Yes sir.

(3).

Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained will you state whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of this article of this treaty?
A Not that I know of.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A You mean my mother? Yes, through my mother.
- Q No, your remote ancestor? A Rachael Shelton.
- Q What kin was she to you? A She was my great-grandmother.
- Q When and where was she born? A I do not know.
- Q Do you know whether she had any Choctaw blood? A No sir.
- Q You don't know how much she had if any? A No sir.
- Q You never heard that she had any in the family? A I have heard it.
- Q Who did you hear say so? A I have only heard it just recently.
- Q Since you came here? A Well, before I came here, but it's been a recent thing.
- Q There has not been much talk of it then in the family among your people? A No sir.
- Q Till recently, you have heard it? A Yes sir.
- Q Did you ever hear how much Rachael Shelton had? A No I can't say that I have.
- Q Did she ever live in Mississippi or Alabama in that old Choctaw Nation there? A I do not know.
- Q Do you know who her father and mother were? A No sir.
- Q Do you know through which parent she claimed her Choctaw blood? A She claimed it through her father.
- Q You don't know his name? A No sir.
- Q What was her maiden name? A Who, Rachael.
- Q What was her husband's name? A I don't know that.
- Q What was his occupation? A I don't know that.

(4).

- Q Was he a white man? A I don't know.
- Q You claim through your mother? A Yes sir.
- Q When and where did she die? A She died in Red River County, Texas? A Twenty years ago. She died in '81.
- Q How old was she when she died? A Thirty-eight years old.
- Q Did she ever live in Mississippi or Alabama? A Not that I know of.
- Q She claimed her Choctaw blood through which parent? A Through her mother.
- Q And her mother's name was what? A Her mother's name was Eliza J. Forbes.
- Q And her mother's name was what, Eliza J. Forbes'? A Her mother's name was Rachael.
- Q Rachael Shelton? A Yes sir.
- Q Eliza J. Forbes was Eliza Shelton before she was married? A Yes sir.
- Q When and where was she born? A I don't know where she was born.
- Q When and where did she die? A Why, I am not sure but I think she died in Novice, Coleman County.
- Q Novice Coleman County, what state? A This state, Texas.
- Q Now do you know whether she ever lived in Mississippi or Alabama? A No sir, I do not.
- Q Did any of your Choctaw ancestors to your knowledge live in Mississippi or Alabama at the time when this treaty was ratified in 1831, and were they heads of families there at that time? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A Not that I know of.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian territory with the other Indians between 1833 and 1838? A I don't know.
- Q Did any of your Choctaw ancestors within six months from the ratification of the Treaty of 1830, tell the United States Indian Agent that they intended to stay in Mississippi and take land there and become citizens of the States? A I don't know.
- Q Did any of them claim any land or own any in Mississippi or Alabama under Article XIV of the Treaty of 1830? A Not that I know of.
- Q Did any of them own any land or claim any or any benefits whatever under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A Not that I know of.
- Q The United States Indian Agent, Colonel Ward, who lived in Mississippi in 1830 made a list called Ward's Register which contains the names of some of the applicants-----Indian applicants who came before him within six months after the ratification of the Treaty of 1830, and told him that they intended to stay in Mississippi and take land there. This was required by the provisions of Article XIV of that treaty, that was passed for the benefit of those Choctaw Indians who stayed back there in Mississippi and refused to go to the Indian Territory with the other Indians. Colonel Ward's list however contains only a fractional part of the Choctaw Indians who went to him within six months after the ratification of that treaty and told him they wanted to become citizens of the United States and get land in Mississippi. On account of his failure to make a complete list of those people, a great many Indians who had land in Mississippi and Alabama had it taken from them and sold by the Government. This caused a great many complaints on the part of the Indians so that in 1837 a Commis-

(5).

sion was appointed by Congress, by an Act approved March 3, of that year and this Commission went to the State of Mississippi and heard all claimants who came before it under Article XIV of that Treaty, and made lists of the names of successful claimants. In 1842 another Commission was appointed by Congress for the same purpose and that Commission also went to Mississippi and made a list of the names of successful and unsuccessful claimants under that article. Do you know whether any of your Choctaw ancestors appeared before either of these two Commissions, that of 1837 or the Commission of 1842 and claimed benefits under Article XIV of that treaty? A No sir, I do not.

- Q The Act of Congress approved August 23, 1842, provided that where an Indian claimant came before it, the Commission of 1842, and proved his claim under Article XIV, if it also appeared that his land had been taken from him that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, and that a certificate should be given to him to that effect, which certificate was called scrip. Did any of your ancestors receive any such scrip from the Government as Choctaw Indians? A Not that I have any knowledge of. I have heard it.
- Q Heard it as a matter of family record? A Yes sir.
- Q Have you any documentary evidence now that you want to present to the Commission? A No sir.

Here John Londen, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which he makes for himself and children, or any other proper evidence.

- Q Do you speak or understand Choctaw? A No sir.
- Q Is there anything more you want to say? A No sir.
- Q On the 28th, 29th, 30th and 31st of October there appeared for identification as Mississippi Choctaws all claiming through one ancestor, Rachael Shelton, the following names people:

Mary L. Crook
Lillian Bedford
Roberta I. Coleman
Jessie C. Smith
John W. Crook
Charles C. Crook
Walter J. Crook
Stella W. Schultze
Harvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates.
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton

Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shipe
James M. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Jehnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willetta M. Murphy
Ema G. Stafford
Melville Yates.

(6).

Are these persons relatives of yours? A Yes sir.
Q And they claim through the same ancestor with you? A Yes sir.
Q Do you want to have their testimony considered with yours that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; gray eyes, medium dark complexion, brown hair, and whiskers. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford
Clara Mitchell Wood

Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3903.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Walter A. Jones,
Bagwells, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Dunin Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al ,	M C R 3925
Jeunie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Shob Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgina Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnneon, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, B. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totay Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Dixby.

Registered.

Acting Chairman.

MCR 3903

COPY.

Muskogee, Indian Territory, November 20, 1905.

Walter A. Jones,
Bagwells, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and three minor children, Jesse W., Addie May and Earnest Jones, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3903

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name *Walter A. Jones,*

Age *35,* Blood *Don't Know,*

Post Office, *Bagwells, Texas,*

Father: *Hardin E. Jones, d*

Mother: *Adelaide E. " d*

Claims through mother,
wife, Florence W. Jones, ra.
No claim for wife,

Children:

Jesse W. Jones, 10

Addie May " 4

Ernest " 1

Claim for self &
Children

Stenographer

Wae Beelford

Choctaw MCR 3904

Herner D. Jones

See MCR 3878

MCR 3904

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3904.

In the matter of the application of Verner D. Jones
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Verner D. Jones, being first duly sworn, upon his oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Verner D. Jones.
Q Bernard? A V-e-r-n-e-r.
Q Verner? A D.
Q What is your age? A Twenty-three.
Q What is your post office address? A Bagwell, Texas.
Q How long have you lived there? A All my life.
Q Born there. What County is that? A Red River County.
Q What is your father's name? A Hardin I. Jones.
Q H-a-r-d-i-n? A Yes sir.
Q Is he living? A Yes sir.
Q What is your mother's name? A Adelaide E. Jones.
Q Is she dead? A Yes sir.
Q You claim through your mother? A Yes sir.
Q How much Choctaw blood do you claim through her? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by either the Choctaw Trib-
al Authorities or the United States Authorities in the Territory?
A No sir, I suppose not.
Q When and where were your father and mother married? A In Red
River County, in 1858.
Q Day of the month? A I don't remember.
Q By a minister under a license? A Yes sir.
Q Have you the proof of their marriage with you now? Of your father
and mother? A No sir, but can produce it.
Q Are you married? A No sir.
Q Claim for yourself alone? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
the Indian Territory? A No sir.
Q Have you ever been recognized as a Choctaw Indian by the Choctaw
Tribal Authorities in the Territory? A No sir.

(2).

- Q Have you ever been admitted by them as a member of that tribe?
A No sir.
- Q Have you ever been admitted as a member of the Tribe of Choctaw Indians by the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever made application to either the Choctaw Tribal Authorities or the Commission to the Five Civilized Tribes-----A No sir.
- Q For citizenship in the Choctaw Nation? A No sir.
- Q Have you ever before this time made application for citizenship to any authority whatever as a Choctaw citizen or for membership in the Choctaw Nation? A No sir.
- Q Do you now come before this Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q Have you heard it read and explained? A Yes sir.
- Q And had it explained to you? A Yes sir.
- Q You waive the explanation then do you? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you know if any of your Choctaw ancestors attempted to comply in any way or did actually comply with the provisions of that article of that treaty? A I do not.
- Q Can you give me the name of your ancestor or ancestors through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation was she to you? A My great-grandmother.
- Q You claim through your mother, Adelaide E. Jones? A Yes sir.
- Q What was her maiden name? A Her maiden name was Forbes.
- Q How old would she be if living now? A She would be-----she was born in '42.

(3).

- Q '42, where was she born? A I don't know.
- Q Did she ever live in Mississippi? A I don't know.
- Q Through whom did she claim her Choctaw blood? A Through her mother.
- Q Her mother's name was what? A Her mother's name was Eliza Jane Forbes.
- Q Eliza Jane Forbes, and where was she born? A I don't know.
- Q Where did she die? A She died at Novice, Coleman County, Texas.
- Q Do you know the date? A No sir, I do not.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q She claimed her Choctaw blood through which parent? A Through her mother.
- Q What was her mother's name? A Rachael Shelton.
- Q Do you know anything about the parents of Rachael Shelton? A I do not.
- Q Do you know through whom she claimed her Choctaw blood? A No sir.
- Q Do you know how much Choctaw blood she claimed? A I do not.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q Was she a recognized member of the Choctaw Tribe of Indians in Mississippi or Alabama in 1830? A I don't know.
- Q Or did she have a family there at that time? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them within six months from the ratification of the Treaty of 1830 tell the United States Indian Agent, Colonel Ward that they intended to stay in Mississippi, take land there and become citizens of the United States? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A I don't know.
- Q Did any of them claim any land under Article XIV of the Treaty of 1830? A I don't know.
- Q Did they claim any benefits or any land or any privileges or any advantages under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q The United States Indian Agent, Colonel Ward, was ordered by the Government to make a list of all the names of Indians who came before him within six months after the ratification of the Treaty of 1830 and told him that they wanted to take land in Mississippi and stay there and not go to the Indian Territory and become citizens of the United States. A great many Indians went before him within the time stated, six months from the ratification of the treaty of 1830, but his list known as Ward's Register, contains the names of only a few Indians who made those applications. The greater number of Indians failed to get their names recorded upon any list. These Indians either were occupying land, some of them, land in Mississippi, or afterwards occupied it, but were dispossessed of that land by the Government because their names did not appear on Ward's Register, although they had made applications as required by Article XIV. This caused a great many complaints among the Choctaw Indians so that in 1837 Congress appointed a Commission which went to Mississippi and heard claimants under Article XIV and made lists of the names of those who appeared before it. In 1842 another Commission was appointed by Congress for the same purpose and this Commission also heard claimants under Article XIV of that Treaty of 1830. Did any of your Choctaw ancestors appear before either of those two Commission and claim

(4).

benefits under Article XIV of the treaty of Dancing Rabbit Creek?
A I don't know.

Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian appeared before the Commission of 1842 and not only proved their rights under Article XIV, but also proved that they had had land in Mississippi and that it had been taken from them by the Government, and sold, that they should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate should be given to them to that effect, and in those days these certificates were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians?
A I have heard that she did.

Q You have heard who did? A I have heard that Rachael Shelton did.

Q Well, do you know anything about it? Any particulars about her getting scrip? A I do not.

Q Have you any documentary proof to that effect? A No sir.

Q Have you any documents you want to file now with the Commission?
A No sir.

Q Do you want time in which to introduce such testimony or evidence,
A Yes sir.

Here John London, Attorney for the applicant asked leave to file written evidence in support of this claim within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence or other proper evidence in support of this claim which he makes for identification as a Mississippi Choctaw.

Q You don't speak the Choctaw language or understand it? A No sir

The following names persons have appeared before this Commission on October 28, 29, 30 and 31, all claiming through Rachael Shelton the same ancestor through whom this applicant claims and their cases are to be considered together that each may get the benefit of the testimony and the records in the others:

Mary L. Crook
Lillian Bedford
Roberta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton

Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud H. Shipe
James M. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter.

(5).

Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willetta M. Murphy
Emma G. Stafford
Melville Yates
Walter A. Jones.

This applicant has the appearance and physical characteristics of being descended from white parentage; gray eyes, medium dark complexion, black hair. She does not speak or understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford
Clarence Hilburn

Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TANS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3904.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Verner D. Jones,

Bagwells, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jeunie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C B 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C B 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frauk E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totay Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Acting Chairman.

MUR 3904

COPY.

Muskogee, Indian Territory, November 20, 1905.

Verner D. Jones,
Bagwells, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

MUR 3904

COPY.

Muskogee, Indian Territory, November 20, 1905.

Verner D. Jones,
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The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

3904

No. ~~4068~~ 3904

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name *Vernon D. Jones*

Age *23* — Blood *not known*

Post Office, *Bagwells, Texas*,

Father: *Wardin D. Jones, 1*

Mother: *Adelaide E. " d*

Claims through *mother*,

~~Children:~~

*Claims formerly
alone.*

Choctaw MCR 3905

Arthur L. Jones

See MCR 3878

MCR 3905

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3905.

In the matter of the application of Arthur L. Jones
for the identification of himself and his two minor children, Karl W.
and Elsie L. Jones, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Arthur L. Jones, being first duly sworn, upon his oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Arthur L. Jones.
Q Arthur L. Jones? A Yes sir.
Q Your age is what? A Thirty years old.
Q What is your post office address? A Bagwells, Texas.
Q How long have you lived there? All your life? A I have lived
there twenty years.
Q Where were you born? A I was born in Lamar County.
Q Lamar County, Texas? A Yes sir.
Q Always lived in Texas? A Yes sir.
Q What is your father's name? A Hardin I. Jones.
Q Is he living? A Father? Yes sir.
Q What is your mother's name? A Adelaide E. Jones.
Q She is dead is she? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Through my
mother.
Q How much Choctaw blood do you claim? A I don't know sir.
Q Has your mother ever been recognized as a Choctaw Indian or en-
rolled as a member of that tribe of Indians by either the Choctaw
Tribal Authorities or the United States Authorities in the Indian
Territory? A No sir.
Q Do you know when and where your father and mother were married?
A They were married in Red River County, in '42-----in '53, I
mean.
Q What day of the month? A I do not know.
Q By a minister under a license? A Yes sir.
Q Have you the evidence of their marriage with you? A No sir. I
can produce it though.
Q You intend to produce it later in this case? A Yes sir.
Q Are you married? A Yes sir.

(2).

- Q What is your wife's name? A Edna E. Jones.
Q Is she a white woman? A Yes sir.
Q You make no claim for her then? A No sir.
Q Have you any children you want to make application for? A I have two.
Q What is the name of the oldest? A Karl W. Jones, K., K-a-r-l .
Q How old is he? A He's six years old.
Q The next? A Elsie L.
Q E-l-s-i-e ? A Yes sir.
Q What is her age? A She's four years old.
Q Is that all? A Yes sir.
Q Is Edna E. Jones the mother of these children? A Yes sir.
Q Are you the father? A Yes sir.
Q Are they living with you at your home? A Yes sir.
Q Were you ever married before you married her? A No sir.
Q Or was she ever married before she married you? A No sir.
Q When and where were you married to her? A In-----we married in Red River County, Texas.
Q What date? A In 1893 on the 1st day of November.
Q Have you the proof of your marriage with you? A No sir, I can produce it.
Q You think you can produce it if given time? A Yes sir.
Q Is your name or the name of this oldest child on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship for yourself and this oldest child to the Choctaw tribal authorities in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation for yourself and oldest child to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
Q Have you before this time ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Is this the first application of any kind you have ever made for enrollment as a Mississippi Choctaw? A Yes sir.
Q Either for yourself or children to either the Choctaw tribal authorities or the United States authorities? A Yes sir.
Q Do you now come before this Commission in order that you may identify yourself and these two children as Mississippi Choctaws, claiming under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand article XIV of that treaty? A Yes sir, I do.
Q Have you heard it read and explained? A Yes sir.
Q A number of times have you? A Yes sir.
Q And you understand it well enough to waive another explanation? A yes sir.
Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey;

(3).

in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A I do not know.
- Q What is the name of your ancestor through whom you claim your right to be identified? A Rachael Shelton.
- Q Rachael Shelton, what relation to you? A She was my great-grandmother.
- Q Did she have an Indian name? A I do not know.
- Q Did she speak the Choctaw language? A I do not know.
- Q How much Choctaw blood did she have? A I don't know sir.
- Q Did you hear she had any? A Why my father said she had is all I knew.
- Q You have been told by your father that she had? A Yes sir, She used to live with my father.
- Q Your mother is dead. How long has she been dead? A She died in '81.
- Q How old was she at that time? A She was thirty-eight years old.
- Q Do you know where she was born? A She was born in Lamar County, Texas? A yes sir.
- Q What date? A I don't know sir. She was born in '42 but I don't know the date.
- Q You can't tell the day of the month? A No sir. I have got it as a family record but I don't remember the date.
- Q She claimed through which parent, father or mother? A Through her mother.
- Q How much Choctaw blood did her mother have? A I don't know sir.
- Q And she claimed through which parent, father or mother? A Through her mother, my grandmother.
- Q And her name was what? A Her name was Eliza J. Forbes.
- Q And her mother's name was what? A Her mother's name was Rachael Shelton.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830? A I don't know sir.
- Q You don't know whether they were heads of families there? A No sir, I do not.
- Q You can't tell when and where Rachael Shelton was born? A No sir.
- Q Or when and where she died? A No sir.
- Q Or where she lived during her life time? A No sir, I do not know.
- Q Or her daughter? A I don't know where she was born, no sir.
- Q Do you know anything about the parents of Rachael Shelton? A No sir, I do not.

(4).

- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know sir.
- Q Did any of your Choctaw ancestors within six months after the ratification of that treaty of 1830, tell the United States Indian Agent, that they intended to stay in Mississippi, take land there and become citizens of the States? A I don't know sir.
- Q Did any of your Choctaw ancestors go from that old Choctaw Nation to the new Choctaw Nation with the other Indians between 1833 and 1840? A I don't know sir.
- Q Did any of your Choctaw ancestors own any land or claim any under Article XIV of the Treaty of 1830? A I don't know sir.
- Q Did they own or claim any land or any improvements under any other Article of the treaty of 1830 than Article XIV, or under the Supplement of that treaty? A I don't know sir, whether they did or not.
- Q A Commission was appointed in 1837 to hear all claimants under Article XIV of the Treaty of 1830, whose rights had been refused by the United States Indian Agent, Colonel Ward, who failed to record their names as claimants under that article as people who intended to stay in Mississippi and take land there pursuant to the provisions of Article XIV of that Treaty within six months from the ratification of the treaty. The list made by Colonel Ward contains the names of only a few of the Choctaw Indians who actually did go before him within the time limited in Article XIV of that treaty. because of his neglect a great many Indians who had land in Mississippi lost that land, because it was taken from them and sold by the Government. Their complaints caused the appointment of this Commission in 1837 by Congress. This Commission went to Mississippi and heard many of those claimants and made lists of the names of all who appeared before it. In 1842 Congress appointed another Commission for the same purpose and this Commission went to Mississippi and heard claimants under Article XIV of that Treaty and made a list of the names of all claimants. Do you know whether any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV of that treaty? A No sir, I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian went before that commission of 1842 and proved his claim, if afterwards it was shown that he had had land and it had been taken from him by the Government of the United States that he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, and that certificates should be given to him to that effect. These certificates were called scrip. Do you know whether any of your Choctaw ancestors received any such scrip from the Government? A I have heard so, yes sir.
- Q Who did you hear got any? A Grandma Shelton. Rachael Shelton.
- Q Do you know what became of that certificate? A No sir, I do not.
- Q Do you know whether she selected any land under it? A No sir, I do not.
- Q Have you ever heard anything further about it? A No sir.
- Q Have you any documentary evidence you want to present now in support of this claim, or any proof of that fact? A No sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

(5).

A reasonable time will be allowed this applicant in which to introduce documentary evidence in support of this claim which he makes for himself and children.

- Q Do you speak or understand the Choctaw language? A No sir.
Q On October 28, 29, 30 and 31, there appeared before the Commission for identification as Mississippi Choctaws at this Office in Atoka the following names persons all claiming through the same common ancestor, Rachael Shelton, to-wit:

Mary L. Crook
Lillian Bedford
Roberta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long.

Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shipe
James M. Yates
Victor L. McGlasson.

Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willette M. Murphy
Emma G. Stafford
Melville Yates
Walter A. Jones
Verner D. Jones.

- Are they all relatives of yours? A Yessir.
Q All claim through the same ancestor through whom you claim? A Yes sir.
Q Do you want to have their evidence considered with yours when yours is considered? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; has medium dark complexion, dark brown hair, blue eyes. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford
Clara M. Belford

Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3905.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Arthur L. Jones,
Bagwell, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamo Dixby.

Registered.

Acting Chairman.

COPY.

MCR 3905

Muskegee, Indian Territory, November 20, 1905.

Arthur L. Jones,
Bagwells, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and two minor children, Karl W. and Elsie L. Jones, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 2465

For Identification as a Mississippi Choctaw.

Date

OCT 31 190

Name Arthur L. Jones

Age 30 Blood Don't know

Post Office, Baqwells, Texas

Father: Warden L. Jones ✓

Mother: Adelaide E. " ✓

Claims through Mother
wife. Edna E. Jones w.
No claim for wife.

Children:

<u>Bail W. Jones</u>	6
<u>Elsie L</u> " "	4

Claims for self ✓
children

Stenographer Neal Bedford

Choctaw MCR 3906

Herbert I. Jones

See MCR 3878

MCR 3906

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory, October 31, 1901.

#3906.

In the matter of the application of Herbert I. Jones
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Herbert I. Jones, being first duly sworn, upon his
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Herbert I. Jones.
Q What is your age? A Twenty-five.
Q What is your post office address? A Fulbright.
Q What is that? A Fulbright, F-u-l-b-r-i-g-h-t.
Q How long have you lived at Fulbright? A I have been there about
a year.
Q Where were you born? A I was born in Lamar County.
Q Texas? A Yes sir.
Q And how long did you live there? A Lamar County?
Q Yes sir. A Why, only a year or so I suppose. They moved to Red
River County when I was quite small.
Q How long did you live in Red River County? A All my life since
moving there.
Q What is your father's name? A Hardin I. Jones.
Q Is he living? A Yes sir.
Q What is your mother's name? A Adelaide E. Jones.
Q Is she living? A No sir.
Q You claim your Choctaw blood through your mother? A Yes sir.
Q How much do you claim? A I don't know.
Q Was your mother ever been recognized as a Choctaw Indian by the
Choctaw Tribal Authorities or enrolled by them, or recognized in
any way, by either the Choctaw Tribal Authorities or the United
States Authorities in the Territory? A No sir, not that I know
of.
Q Have you the proof of the marriage of your father and mother with
you? A No sir.
Q Can you tell when and where they were married and by whom? A
They were married in '59, in Red River County, by a minister, but
I don't know who it was. We can produce the marriage certificate.
Q You think you can furnish that evidence do you? A Yes sir.

(2).

- Q Are you married? A No sir.
- Q You claim for yourself alone then? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever made application for membership in the Choctaw Nation to the Choctaw Tribal Authorities in the Indian Territory? A No sir.
- Q Have you ever made application for membership in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
- Q Do you know whether you have ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Did you ever before this time try to become enrolled as a member of the Choctaw Tribe of Indians by making application either to the Choctaw Tribal Authorities or the Commission to the Five Civilized Tribes? A No sir.
- Q Do you now come before this Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the lands in the Choctaw Nation, Indian Territory under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q Do you think you understand it well enough now so that you can waive the explanation? A Yes sir.
- Q You have heard it read and explained a number of times have you? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now can you tell as you understand that letter after having heard it read and explained whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that Article? A Not that I know of.

(3).

- Q Tell me the name if you know, of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation to you? A She was a great-grandmother to me.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did she have any? A I have heard she had.
- Q Heard it in the family? A Yes sir.
- Q Heard it for a long time or only recently? A I have heard it for several years. I knew that we have had Choctaw blood in us. I don't know as I heard that she was the one, but I have heard that we had Choctaw blood in us.
- Q Do you know when and where she was born? A No sir.
- Q Or when and where she died? A No sir.
- Q Do you know where she lived during her lifetime? A No sir.
- Q What was her maiden name? A I don't know.
- Q Did she claim through her father or mother? A I don't know.
- Q What was her husband's name? A Jesse Shelton.
- Q What? A Jesse Shelton.
- Q Do you know what his business was? A I have heard he was an Indian Trader.
- Q Was he a white man or an Indian? A White man.
- Q You claim through your mother, Adelaide A.? A Yes sir.
- Q When was she born? A She was born in '42.
- Q '42, do you know whether she ever lived in Mississippi or Alabama? A No sir, I do not.
- Q She claimed through her father and mother? A Through her mother.
- Q Her name was what? A Eliza J. Forbes.
- Q That was her maiden name? A No, Eliza J. Shelton was her maiden name.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q Did she speak or understand Choctaw? A I don't know.
- Q Or did Rachael Shelton? A I don't know.
- Q Now she claimed through which parent, her father or mother? A Through her mother.
- Q Rachael? A Yes sir.
- Q You know nothing further as to these ancestors, if they lived in Mississippi or Alabama at any time? A No sir, I do not.
- Q Or whether they lived there in 1830 and were the heads of families any of them? A I do not.
- Q Did any of your Mississippi Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them go from the old Choctaw Nation to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A I don't know.
- Q Did any of your Choctaw ancestors within six months from the ratification of that treaty of 1830 tell the United States Indian Agent Colonel Ward that they intended to stay in Mississippi and take land there? A I don't know that.
- Q Did any of your Choctaw ancestors own any land or claim any under Article XIV of the Treaty of 1830? A I don't know.
- Q Did any of them own or claim any land or any improvements whatever under any other article of the Treaty of 1830 than article XIV or under the supplement of that treaty? A Not that I know of.
- Q The United States Indian Agent, Colonel Ward was required to make a list of the names of all claimants who came before him within six months from the ratification of the Treaty of 1830 in order to make declarations of intention to stay in Mississippi, take land there and become citizens of the United States. After having done

(4).

done this they occupied, some of them, land in Mississippi and Alabama upon which they placed improvements, but the Indian Agent failed to record the names of all of these Indians, so that later when Indians were found occupying land in Mississippi whose names had not been placed upon Ward's Register they were dispossessed by the Government and their land and improvements were taken from them by the Government and sold. This caused a great many complaints among the Indians and as a result of these complaints in 1837, by an act of Congress that was approved March 3rd of that year a Commission was appointed which went to Mississippi and heard all of the claimants who desired to come before it under Article XIV, claiming under Article XIV of that treaty. Lists were made of the names of those people who came before that Commission. Also, in 1842 another Commission was appointed by Congress for the same purpose. Do you know whether any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842----AI don't know.

- Q And claimed benefits under Article XIV of that treaty? A I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indians appeared before that Commission of 1842 and proved their claims under Article XIV of the Treaty of Dancing Rabbit Creek, if it also appeared that their lands had been previously taken from them by the Government that they should be entitled to select land either in Mississippi Alabama, Louisiana or Arkansas to be taken from vacant Government land, and that a certificate should be given to them to that effect. These were called scrip, these certificates. Do you know whether any of your ancestors received any such scrip from the Government? A I have heard that Rachael Shelton received scrip.
- Q Do you know anything further about it? A No sir, I do not.
- Q What became of the land if selected, what became of the certificate if granted, where the land was located? A No sir, I do not.
- Q Have you any documentary evidence you want to present now? A No sir.

Here John London, Attorney for the applicant asked leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which he makes in his own behalf for identification as a Mississippi Choctaw.

- Q You don't understand Choctaw? A No sir.
- Q On October 28, 29, 30 and 31 there appeared for identification as Mississippi Choctaws before this Commission at Atoka the following named persons, all claiming through the same ancestor, Rachael Shelton, viz:

Mary L. Crook
Jessie C. Smith
Walter J. Crook

Lillian Bedford
John W. Crook
Stella W. Schultze

Roberta I. Coleman
Charles O. Crook
Marvin B. Crook

(5).

Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shippe
James W. Yates

Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willetta M. Murphy
Emma G. Stafford
Melville Yates
Walter A. Jones
Verner D. Jones
Arthur L. Jones

- Q Are these all ancestors of yours? A Not all ancestors, but they are all relatives of mine.
- Q Do you want to have their testimony considered with yours when yours is considered by the Commission in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage. He has black hair dark brown eyes, black moustasches and dark complexion. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830. His dark complexion and features may indicate a strain of Choctaw blood.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford
Clara Mitchell
Notary Public.

COPY:

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3906.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Herbert I. Jones,

Fulbright, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomae M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jofes, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Jos D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, E. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Sam Bixby.

Acting Chairman.

Registered.

MOR 3906

COPY.

Muskogee, Indian Territory, November 20, 1905.

Herbert I. Jones,
Fullbright, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED



Acting Commissioner.

No. 3900

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Herbert L. Jones.

Age 25 Blood Don't know.

Post Office, Fulbright, Texas.

Father: Gardin V. Jones, l

Mother: Adelaide E. " d

Claims through Mother

Children:

Claims for self
alone.

Stenographer Neal Belford

Choctaw MCR 3907

Gus B. Shelton

See MCR 3878

MCR 3907

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3907.

In the matter of the application of Gus B. Shelton for identification as a Mississippi Choctaw.

Applicant represented by John London Attorney.

Gus B. Shelton, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Gus B. Shelton.
Q Gus B.? A Yes sir.
Q What is your age? A Forty.
Q What is your post office address? A Roxton, Texas.
Q R-o-x-t-o-n? A R-o-x-t-o-n.
Q How long have you lived there? A I have lived there right-----
lived in Lamar County up to-----well, I have lived there about
twenty years.
Q Where did you live before that? A Lamar County. East Lamar.
Q Always live in Texas? A Yes sir.
Q What is your father's name? A Ervin Shelton.
Q I-r-v-i-n? A E-r-v-i-n.
Q Ervin Shelton? A yes sir.
Q Is he living or dead? A No sir, he's dead.
Q What is your mother's name? A Annie E. Shelton.
Q Annie? A Yes sir.
Q Shelton? A Yes sir, Shelton.
Q Is she living or dead? A Dead.
Q Through which parent do you claim Choctaw blood? A Father.
Q How much do you claim? A I don't know.
Q Has your father ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by either the Choctaw trib-
al authorities or the United States authorities in the Indian Ter-
ritory? A I don't know.
Q When and where were your father and mother married? A Lamar
County.
Q Texas? A Texas.
Q What date? A It was in the year of 1881, we have a record at
home there.
Q You don't remember the exact date? A Or month.

(2).

- Q Have you the evidence that you can produce here to prove this, the time of their marriage and the locality of their marriage? A Yes sir.
- Q Are you married? A Yes sir, I have been married.
- Q Have you children? A No sir, my wife and baby's dead.
- Q You claim for yourself? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever been admitted to membership in the Choctaw Nation by the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Have you ever made application for citizenship to the Choctaw Tribal Authorities in the Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Commission to the Five Civilized Tribes, the Choctaw Tribal Authorities or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made for citizenship or membership in the Choctaw Nation either to the Choctaw Tribal Authorities or the United States Authorities? A Yes sir.
- Q Do you now come before the Commission to be identified as a Mississippi Choctaw claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I think I do.
- Q Have you heard it read and explained a number of times? A Several times, yes sir.
- Q Do you think you understand it well enough now to waive the explanation? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

(3).

- Q You think you understand that pretty well now do you? A I think I do, yes sir.
- Q Do you know if any of your Choctaw ancestors complied in any way with any of those provisions of that article of that treaty? A No sir, I don't.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q When and where was she born? A I don't know.
- Q When and where did she die? A I don't know.
- Q Where did she live during her life time? If you know? A I don't know. Never heard.
- Q What was her maiden name? A I have been told it was Marrs.
- Q Rachael Marrs? A Rachael Marrs.
- Q Do you know her father's name? A No sir.
- Q Know what her mother's name was? A No sir.
- Q Through which parent did she claim her Choctaw blood? A I don't know.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did she have any? A I don't know.
- Q Never heard that she had any? A Well, I have understood amongst the connections, of course.
- Q When did you first hear that she had any Choctaw blood? A As far as her having any, I couldn't say that she had.
- Q Whether who had any? A That we had, the children.
- Q That you as descendant from her? You knew that you were descended from her? A Yes sir.
- Q Did you hear that that Choctaw blood came down through her or some other branch of the family? A Well, I couldn't say where it come from.
- Q Well, then you don't know that she had a drop of Choctaw blood? A No sir, I don't.
- Q And never did hear that she had? A Never did hear.
- Q Do you know whether any came from any other side of the house, from her husband's, or through your mother's branch of the family? A No sir, I don't never heard.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830 and were they heads of families there at that time, did you ever hear? A I never heard. Don't know.
- Q You don't know anything more about the Choctaw blood of the descendants of Rachael Shelton than in her? A No sir.
- Q You claim through your father? A Yes sir.
- Q And he through whom? A His mother, Rachael Shelton.
- Q Your grandmother? A Yes sir.
- Q When did your father die? A I think it was in '63, during the War. He didn't die at home so I was told.
- Q You were quite young when he died? A I was not quite two years old they said.
- Q That's the reason you never heard him say anything about it? A No my mother died two years after his death and I never heard my parents-----never knew them enough to talk of that to them.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent, Colonel Ward that they intended to stay in Mississippi and

(4).

- take land there? A I don't know.
- Q Did any of your Choctaw ancestors go from the old Choctaw Nation to the new with the other Indians between 1833 and 1840? A I don't know.
- Q Did any of them own or claim any land in Mississippi under Article XIV of the Treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors claim any benefits or any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of 1830 The United States Indian Agent, Colonel Ward was instructed to make a list of the names of all Indians who came before him and declared their intention to stay in Mississippi, take land there and become citizens of the United States, if they did this within six months after the ratification of the Treaty of 1830. A Great many Indians did this whose names were now placed upon his list called Ward's Register, and because of this neglect to enroll the names of all Choctaw Indians who came before him within the time stated in Article XIV of that Treaty, a great many Indians who had land in Mississippi had that land taken from them and sold together with improvements upon it. This caused a great deal of distress among the Indians and many complaints so that in 1837 by Act of Congress approved March 3rd of that year, Congress appointed a Commission which went to the States of Mississippi and heard claimants under Article XIV of that treaty. In 1842 Congress appointed another Commission for the same purpose and this Commission also went to Mississippi and heard claimants under Article XIV of that treaty. Did any of your Choctaw ancestors go before either of those Commissions and claim benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian appeared before that Commission of 1842 and proved his claim under Article XIV of the Treaty of Dancing Rabbit Creek, if he also showed to them that he had held land in Mississippi or Alabama and it had been taken from him by the Government that he should be entitled to select land either in Mississippi or Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that a certificate should be given to him to that effect. These certificates were called scrip. Did any of your ancestors receive any such scrip from the Government of the United States as Choctaw Indians? A I don't know.
- Q Have you any documentary evidence you want to present now? A No sir, not now.

Here John London, Attorney for applicant asked leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to present documentary or any other proper evidence in support of this application which he makes for himself for identification as a Mississippi Choctaw.

- Q Do you speak Choctaw? A No sir.
- Q Or understand it? A No sir.

(5).

Q On the 28, 29, 30 and 31 days of October, 1901, before the Commission at Atoka, Indian Territory, the following named persons made application for identification as Mississippi Choctaws all claiming through the same common ancestor, Rachael Shelton:

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
R. Pearl Shelton
Irene Thomas
Florence Carson

Lela A. Haraway
Idella Garland
Maud M. Shippe
James M. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willette M. Murphy
Emma G. Stafford
Malville Yates
Walter A. Jones
Verner D. Jones
Arthur L. Jones
Herbert I. Jones

Are these people all relatives of yours claiming through the same ancestor through whom you claim? A Yes sir.
Q Do you want to have their testimony considered with yours when yours is considered in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, light hair and light sandy mustaches. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford

[Signature]
Notary Public.

COPY:

COMMISSIONERS

HENRY L. DAWES.
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3907.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Mrs B. Shelton,
Roxton, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomae M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Anna Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamr Dixby.

Registered.

Acting Chairman.

MOR 8907

COPY.

Muskogee, Indian Territory, November 20, 1905.

Gus B. Shelton,
Roxton, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3907

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name

Gust B. Shelton.

Age

40 -

Blood

Don't know

Post Office, Roxton, Texas,

Father: Ervin Shelton, d

Mother: Annie E " d

Claims through

father

Children:

claiming for self
alone -

Choctaw MCR 3908

Jack R. Garland

See MCR 3878

MCR 3908

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3908.

In the matter of the application of Jack R. Garland for the identification of himself and his two minor children, Joe D. and Jessie L. Garland, as Mississippi Choctaws.

Applicant represented by John London, Attorney.

Jack R. Garland, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q Your name is what? A Jack R. Garland.
Q What? A Jack R. Garland.
Q What is your age, Mr. Garland? A Twenty-seven.
Q What is your post office address? A Annona, Red River County, Texas.
Q A-n-n-a? A -n-o-n-a .
Q How long have you lived at Annona? A All my life.
Q You were born there were you? A Yes sir.
Q What is your father's name? A Joe D. Garland.
Q Is he living? A Yessir.
Q What is your mother's name? A Jessie S. Garland, J-e-s-s-i-e .
Q Is she living? A No sir.
Q Through which parent do you claim Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A I don't know sir.
Q Has your mother ever been recognized or enrolled as a Choctaw Indian by either the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A Near Clarksville, in '73.
Q Texas? A Yes sir, Clarksville, yes sir.
Q Do you remember the day of the month? A 27th, I believe of October.
Q Have you their marriage license and certificate with you? A I haven't. My father has, I think.
Q Are you married? A Yes sir.
Q What is your wife's name? A Mary S. Garland.
Q What is her nationality? A She's a white woman.
Q Do you make any claim for her? A No sir.
Q Have you any children under twenty-one years of age and unmarried

(2).

- you want to make application for? A I have two.
- Q What is the name of the oldest? A Joe D. Garland.
- Q How old is Joe? A He's four.
- Q The next? A Jessie Louise.
- Q That's a girl? A Yes sir.
- Q How old is she? A She's one. Well, she's about seventeen months.
- Q Is Mary S. the mother of these children? A Yes sir.
- Q When and where were you married to her? A Mary S. Garland is. I was married to her in Blossom, Lamar County, in '96.
- Q Do you remember the day of the month? A December 1st.
- Q By a minister under a license? A Yes sir.
- Q You claim for yourself and these two children do you? A Yes sir.
- Q Have you your marriage license and certificate of your marriage with your wife? A Not with me.
- Q Do you think you can produce it later if given time? A Yes sir.
- Q Was she married before she married you? Previous to your marriage? A No sir.
- Q Were you ever married before you married her? A No sir.
- Q Is your name on any of the Tribal Rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for enrollment as a Choctaw citizen to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in the Indian Territory? A No sir.
- Q Is this the first application of any kind you ever made for enrollment as a Choctaw citizen or for enrollment in the Choctaw Nation for your children, either to the Choctaw Tribal Authorities or the United States Authorities in the Indian Territory? A Yes sir.
- Q Do you now come before the Commission for the purpose of identifying yourself and these children as Mississippi Choctaws claiming interests in the Choctaw lands here in the Choctaw Nation in the Indian Territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand article XIV of the Treaty of 1830? A Yes sir I think so.
- Q Have you heard it read and explained a number of times? A Yes sir, quite a number.
- Q You waive the explanation in this case? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of

(3).

age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

- Q Now as you have heard it read and explained do you understand that any of your Choctaw ancestors ever complied with any of the provisions of it? A I don't know.
- Q What is the name of the ancestor through whom you claim your Choctaw blood? A Rachael Shelton.
- Q When and where was she born? A I don't know sir.
- Q When and where did she die? A I don't know sir.
- Q Where did she live during her life? A I don't know.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did you ever hear that she had any? A Why, I have understood that we have Choctaw blood in us.
- Q That has always been a matter of family history and tradition? A Yes sir.
- Q Been talked of pretty freely in the family? A No sir.
- Q Been rather concealed hasn't it on account of family pride? A Yes sir, I suppose so.
- Q Did you hear that she ever lived in Mississippi or Alabama? A I did not.
- Q You don't know that she lived there in 1830 when this treaty of 1830 was made? A No sir.
- Q Do you know whether she was a Choctaw Indian? A No sir, I don't.
- Q Or whether she spoke that language, the Choctaw language? A No sir.
- Q Do you know what her maiden name was? A Why no, I don't remember it.
- Q Never heard what her father's name was? A Who, Rachael Shelton's father?
- Q Yes? A No.
- Q Do you know her husband's name? A Jesse Shelton.
- Q What was his occupation if you know? A Why, I have understood he was an Indian Trader.
- Q Indian contractor? A Yes sir.
- Q Did he furnish supplies for the Government to be furnished to those Indians who came from the old Choctaw Nation to the new? A I understood so, yes sir.
- Q You claim your Choctaw blood through your mother, Jessie S/ do you not? A Yes sir.
- Q When was she born do you know? A She was born in '53.
- Q '53? A Yes sir.
- Q Where was she born? A Near Clarksville, Red River County.
- Q She never was in Mississippi then? A No sir.
- Q She claims her Choctaw blood through which parent, father or mother? A Her mother.
- Q Well now then I will ask you through which parent she claims her Choctaw blood, father or mother? A Her mother.
- Q What was her mother's name? A Lucinda Shelton.

(4).

- Q Was that her maiden name or her married name? A Her maiden name.
- Q And her mother's name was what? A Her mother's name, Lucinda's mother? A
- Q Yes? A Rachael Shelton.
- Q That goes back to the Common ancestor? A Yes sir.
- Q Lucinda Garland is your grandmother? A No sir, Lucinda Latimer is my grand mother.
- Q Your mother is Jessie S. Garland? A Yes.
- Q Her maiden name was Jessie S. What? A Latimer.
- Q How her mother's name was what? A Lucinda Latimer.
- Q And her maiden name was what? A Shelton.
- Q And her mother's name was what? A Shelton.
- Q Rachael Shelton? A Yes sir.
- Q Now did any of your ancestors live in Mississippi or Alabama in 1830, or any other time? A I don't know.
- Q You don't know whether any of them ever claimed any benefits or received any benefits under Article XIV of the Treaty of 1830? A No sir, I don't.
- Q Or owned any land in Mississippi under that article of that treaty A No sir.
- Q Did any of your choctaw ancestors own or claim any land or any benefits under any other article of the treaty of 1830 than article XIV or under the supplement of that treaty? A I don't know.
- Q Did any of them own any improvements in Mississippi or Alabama in 1830? A Not that I know of.
- Q Did any of them go from Mississippi or Alabama that is the old Choctaw nation to the new Choctaw Nation in the Indian Territory, between 1833 and 1838? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent who lived in Mississippi that they intended to stay there and take land there and become citizens of the United States? A I don't know.
- Q You have heard of Colonel Ward have you not, the United States Indian Agent who lived in Mississippi in 1830? A Yes sir.
- Q Well, he was instructed by the Government after the Treaty of 1830 was ratified, which was on the 24th day of February, 1831, to make a list of the names of all Choctaw Indians who claimed benefits under Article XIV of that Treaty of 1830, and place their names all upon his list or roll, which is called Ward's Register, in order that it might be known by the Government and by the people themselves who really were going to take advantage of the provisions of Article XIV of the Treaty of 1830. That article was put into that treaty for the especial benefit of those people who stayed back there in the old Choctaw Nation, Indian Territory. Colonel Ward made a list, but it was a very incomplete one, leaving off from his list the names of a great many, the greater majority in fact of all Indians who complied with the provisions of Article XIV of that treaty and this neglect on his part caused many Indians who had land in Mississippi and Alabama to lose it. The Government took it from them and sold it together with the improvements upon it. This caused so many complaints among the Indians that in 1837 Congress by an act approved March 3rd of that year sent a Commission-----appointed a Commission which went to Mississippi and heard claimants under Article XIV of the Treaty of 1830 and made a list of the names of all successful claimants. In 1842 another Commission was appointed for the same purpose by Congress and this Commission also heard all claimants who came before it under Article XIV of the Treaty of 1830. Did any of your ancestors

(3).

appear before either of those Commissions and claim benefits under Article XIV of that Treaty? A I don't know sir.

- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian claimant came before the Commission of '42 and proved his claim, proved his right to take land under Article XIV, if it had been shown that his land had been taken from him previously by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates were called scrip. Did any of your Choctaw ancestors receive any such scrip from the United States Government as Choctaw Indians? A I don't know.
- Q Did you ever hear that Rachael Shelton ever got any scrip from the Government? (No answer.)
- Q You heard it when you came down here among these older ones? A yes sir.
- Q You never heard it before? A No sir.
- Q Do you think you would like time to produce evidence to show that fact if possible? If it exists anywhere? A Yes sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this claim within the near future.

Reasonable time will be allowed this applicant in which to prove if possible that any of his ancestors received scrip from the Government, also documentary or any other proof proper, showing that he is lineally descended from a Mississippi Choctaw Ancestor who complied with Article XIV of the Treaty of 1830.

- Q On October 28, 29, 30 and 31, there appeared for identification as Mississippi Choctaws the following named persons all claiming through the same common ancestor

Mary L. Crook	Alice I. Compton	Ada Shelton
Lillian Bedford	Jesse R. Shelton	Cora T. Porter
Roberta I. Coleman	Eli J. Shelton	Georgia B. Porter
Jessie C. Smith	E. Pearl Shelton	Johnnie G. Berry
John W. Crook	Irene Thomas	Marie F. Kidd
Charles O. Crook	Florence Carson	Clarence G. Hilburn
Walter J. Crook	Lola A. Haraway	Willetta M. Murphy
Stella W. Schultze	Idella Garland	Emma G. Stafford
Marvin B. Crook	Maud M. Shipe	Melville Yates
Maggie W. Coleman	James M. Yates	Walter A. Jones
Texannah Jones	Victor L. McGlasson	Verner D. Jones
Fannie Long	Cora T. Porter	Arthur I. Jones
Thomas J. R. Yates	Cora E. Lindsay	Herbert I. Jones
	Gus B. Shelton	

- Q Are these all ancestors of yours? A Yes sir. No, relatives.
- Q And all claim through the same common ancestor? A Yes sir.
- Q Do you want to have their testimony considered as a part of yours in order that you may get the benefit of what they have testified

(6).

to? A Yes sir.

Q Do you speak or understand the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; very dark complexion, brown eyes, black hair. There may be evidences of Choctaw blood which he claims in his appearance although he does not know the quantity of Choctaw blood which he has. He has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830, neither does he understand or speak the Choctaw language.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8th day of January, 1902.

Hal Belford
Clara Mitchell Wood
Notary Public.

COPIES

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3908.

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Jack R. Garland,

Annona, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jeunie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) Tams Bixby.

Registered.

Acting Chairman.

MGR 3908

COPY.

Muskegee, Indian Territory, November 20, 1905.

Jack R. Garland,
Amona, Texas.

Dear Sir:

You are hereby notified that on November 8, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and two minor children, Joe D. and Jessie L. Garland, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

For Identification as a Mississippi Orphan.

Date

OCT 31 1904

Name Jack R. Garland

Age 27

Blood Don't know

Post Office, Annona, Tex.

Father: Joe R. Garland, d

Mother: Jessie S. " d

Claims through mother

wife.

Mary S. Garland, w.

No claim for wife —

Children:

Joe L. Garland, 4

Jessie L. " 1

Claims for self &
children.

Stenographer Hal Belford

Choctaw MCR 3909

David W. Martin

See MCR 203

MCR 3909

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3909.

In the matter of the application of David W. Martin for the identification of himself and his seven minor children, Sammy D., Emily L., Robert A., Baby A., Tom S., Leslie L., and George Martin, as Mississippi Choctaws.

Applicant represented by J. B. Arnold, Attorney.

David W. Martin, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A David W. Martin
Q What is your age? A Fifty-two.
Q What is your post office address? A Grapeland, Houston County, Texas.
Q What? A Grapeland, Houston County, Texas.
Q How long have you lived there? A About twenty years.
Q And where were you born? A I was born in Alabama.
Q What place in Alabama? A Well, the place I was born at, there's been some changes in county lines, is now Dallas County.
Q Formerly known as what? A Well, I don't know whether it was Autauga or Perry.
Q How long did you live there? A I lived there about twenty years.
Q Then you went where? A I went to North Texas.
Q And lived in Texas ever since? A Lived in Texas ever since, different places.
Q Always in Texas? A Always in Texas.
Q What is your father's name? A Robert Martin, R. M.
Q Robert M. Martin? A Robert M.
Q Is he living? A No sir, he's dead.
Q What is your mother's name? A She was named Martha, Martha Martin.
Q That's the full name is it? A If she had a middle name I don't know it.
Q Is she living or dead? A She's dead.
Q Through which parent do you claim Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A Me, myself.
Q Yes? A One-eighth.

(2).

- Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A Not that I know of.
- Q When and where were your father and mother married? Have you proof of their marriage with you? A No sir, I havn't.
- Q Do you think you can furnish that later if given time? A Yes sir they were married though in Alabama.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Now I will just say right here, I don't know whether it's necessary or not. I have been married twice.
- Q Have you any children under twenty-one years of age and unmarried that you want to make application for? A Yes sir.
- Q By both wives? A No sir, by the last wife.
- Q Have you any grown children here who were the children of your first wife? A Yes sir.
- Q Give me your first wife's name? A She was named Lucy D.
- Q Is she dead? A Yes sir, she's dead.
- Q Was she a white woman? A Yes sir.
- Q Not an Indian? A No sir.
- Q Now what is your second wife's name? A Ella Martin.
- Q And she is also a white woman? A Yes sir.
- Q And is living? A Yes sir.
- Q When and where were you married to your first wife? A I was married in Hunt County in '72, I don't recollect the month nor the day.
- Q When did she die? A Well, let me see, she died about '80 I think.
- Q When and where were you married to your second wife? A In Hunt County.
- Q Texas? A Yes sir.
- Q What date? A '82.
- Q Have you the marriage license and certificate of this marriage? A No sir, I havn't that will be forth-coming.
- Q You can introduce that if you desire can you? A Yes sir.
- Q Now have you any children under twenty-one years of age and unmarried that you want to make application for? A Yes sir, I have.
- Q All your children by your second wife? A Second wife.
- Q What is the name of the oldest? A Sammy D.
- Q How do you spell that? A S-a-m-m-y.
- Q Sammie D.? A Yes sir.
- Q Boy? A Yes sir.
- Q How old is he? A Sixteen years.
- Q Now the next? A Emily L. Martin, girl, fourteen.
- Q Next? A Robert A. Martin, boy, twelve.
- Q Next? A Ruby A.
- Q Ruby? A R-u-b-y.
- Q A.? A A.
- Q Girl? A Girl, yes sir, ten.
- Q Is that all? A Tom Smith.
- Q Thomas S. Martin? A Yes sir, well, we always call him Tom Smith.
- Q All right, how old? A Boy, eight years.
- Q Next? A Leslie L.
- Q Boy? A Yes sir, six years old.
- Q Any more? A Omega.
- Q The last? A Yes sir, that's enough ain't it. Four.
- Q That's a boy too I guess? A No sir, that's a girl.
- Q Any more? A That's all. The name indicates it.

(3).

- Q Is your last wife Ella the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Has she ever been married before she married you? A Yes sir.
- Q Do you have any children by that marriage you wish to present here? A No sir.
- Q Is your name or the name of any of these children on any of the tribal rolls of the Choctaw Nation Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and these children to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself or these children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or these children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application for citizenship in the Choctaw Nation you ever made for yourself and children either to the Choctaw Tribal Authorities, or the United States authorities? A Yes sir.
- Q Do you now come before the Commission to seek to identify yourself and these children as Choctaw Indians, and to identify them as Mississippi Choctaws under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty, Mr. Martin? A I think I do. I have heard it read here and explained several times.
- Q You have heard it read and explained a number of times have you? A Yes sir.
- Q You waive the explanation do you? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

(4).

- Q Now then do you know whether any of your Choctaw ancestors complied or attempted to comply with any of those provisions of that article as read and explained to you? A No sir, I don't know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Martha Martin
- Q What relation to you was she? A She was my grandmother.
- Q You claim through your father. Was she your father's mother? A Yes sir.
- Q Did she live in Mississippi or Alabama in 1830 in that old Choctaw Nation? A Why, she lived in Alabama.
- Q Did she live in the old Choctaw Nation in Alabama? A I do not know sir. I don't know what part of Alabama you call that.
- Q Well, it was only a slight strip along the western boundary line of Alabama. A Well, I don't know.
- Q She lived in Alabama anyway in 1830? A Yes sir.
- Q Do you know whether she had children there at that time, in 1830? A Oh yes, yes sir, yes sir.
- Q Do you know where she was born? A No sir.
- Q Do you know when she was born? A No sir.
- Q Do you know where she died? A Yes sir, she died there in Dallas County, Alabama.
- Q And how old was she when she died? A I don't know.
- Q How much Choctaw blood did she have? A Oh, she was half.
- Q Do you get that in the family history and tradition? A Well, I have just been informed that.
- Q Have you any records to that effect any where? A No sir, I haven't.
- Q Did she or any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I do not know sir.
- Q Did she or any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent, Colonel Ward, that they intended to stay in Mississippi and Alabama in the old Choctaw Nation, take land there and become citizens of the United States? A I don't know sir.
- Q Did your father ever live in Mississippi or Alabama? A He was born there and lived there and died there.
- Q How old was he when he died? A I don't know sir. I can't answer that correctly.
- Q Do you know whether he was living in 1830? A Yes sir.
- Q He was living in Alabama in 1830 was he? A Yes sir.
- Q He would be over seventy-one years old now then? A Yes sir, he was born in '26.
- Q '26? A Yes sir.
- Q In Alabama? A Yes sir.
- Q Did he or your grandmother Martha Martin have Indian names or speak the Choctaw language? A Not that I know anything about.
- Q Through which parent did she claim her Choctaw blood, father or mother? A Who, grandmother.
- Q Martha, yes. A I do not know anything about that.
- Q Did she or your father receive any land or claim any under article XIV of the Treaty of 1830? In Mississippi or Alabama? A Not that I know of.
- Q Did they claim any benefits or any land or receive any under any other article of the Treaty of 1830 than Article XIV or under the supplement of that Treaty? A Not that I know of.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, the United States Indian Agent who lived in Mississippi in 1830 was instructed to make a list of the names of all

(5).

Choctaw Indians who came to him within six months from the ratification of the Treaty of 1830, and declared to him their intentions to remain in Mississippi and take land there and become citizens of the United States. Colonel Ward recorded some names on his list known as Ward's Register, but he left off a great number of names of people who did go before him and make those declarations. This negligence on his part caused many Indians in Mississippi and Alabama to lose their land and the improvements upon it. They were taken by the Government and sold. This caused a great deal of distress among the Indians so that in 1837 a Commission was appointed which Commission went to Mississippi and heard claimants under Article XIV of that treaty and made lists of the names of all claimants successful and unsuccessful who came before it. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to the State of Mississippi and heard claimants under Article XIV of the treaty of 1830. Do you know if any of your Choctaw ancestors appeared before either of those two Commissions and claimed benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A No sir, I do not.

- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian appeared before that Commission of 1842 and proved his claim, if it at the same time appeared that he had previously had his land taken from him, if he had land in Mississippi or Alabama, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be issued. These certificates were called scrip. Do you know if any of your Choctaw ancestors ever received any such scrip from the Government as Choctaw Indians? A I don't know whether they did or not.
- Q Have you any documentary evidence you want to present now in support of this case? A Well, no.
- Q Can you give the names of any relatives of yours that have appeared before the Commission for identification as Mississippi Choctaws? A John H. Martin, Emily Evans, Mattie Walker.
- Q Any others? A Quite a family of them.
- Q Are these people all related to you? A Yes sir.
- Q And claim through the same common ancestor? A Yes sir.
- Q And you want to have their testimony considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.
- Q Do you speak or understand the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that he has dark eyes, dark complexion, gray hair formerly black and may show traces of Choctaw blood through complexion and features. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of Dancing Rabbit Creek.

(6)

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 8 day of January, 1902.

Hal Belford
Charles M. Caldwell
Notary
Public

Muskogee, Indian Territory, November 13, 1901.

J. E. Arnold,

Atoka, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 4th instant enclosing a certified copy of the marriage license and certificate between D. W. Martin and Mrs. Suella Johnson offered by you for filing in support of the application of the said Martin for the identification of himself and his minor children as Mississippi Choctaws.

You are informed that the same has this day been filed with the other records in this case and will receive the consideration of the Commission in the disposition of the claim of these persons as Mississippi Choctaws.

Yours truly,

Acting Chairman.

W.C. 8909.

Muskogee, Indian Territory, November 30, 1901.

J. E. Arnold,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty fifth instant, inclosing the affidavit of D. W. Martin and the joint affidavit of M. J. Birdsong Jr., and W. A. Birdsong, as to the marriage between D. W. Martin and Lucy P. Peelo, February 27, 1872, which you offer for filing in support of the application for identification as Mississippi Choctaws of David W. Martin and his minor children. The same have been filed with the record in this case, but cannot be accepted as conclusive evidence of said marriage until some reason is shown why a certified copy of the court record of such marriage is not submitted for filing in support of this application.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, February 12, 1902.

J. E. Arnold,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the tenth instant inclosing affidavit of R. H. Williams to the marriage of Lucy D. Peel and David W. Martin. You state in your letter that Mr. Martin claims to have secured marriage license at Greenville, Hunt County, Texas, but for some reason the records of said county show no record of this marriage.

You are advised that this affidavit has been filed with the record in this case but cannot be accepted as conclusive evidence of the marriage of D. W. Martin and Lucy D. Peel. In the event of the inability of Mr. Martin to secure a certified copy of the marriage license and certificate, and a certificate from the Clerk of Court for said County to that effect, the Commission will accept the affidavits of two disinterested parties who were present, to such marriage.

Yours truly,

Commissioner in Charge.

COPY.

COMMISSIONERS
HENRY L. DAWES.
TAMS DIXBY.
THOMAS B. NEEDLES.
C. R. BRACKENRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, April 21, 1902:

David W. Martin,

Grapeland, Texas,

Dear Sir:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Susan J. Tippit, et al., embracing the following applications for identification as Mississippi Choctaws:

Susan J. Tippit, et al.,	M	C	R	203
Alva N. Tippit, et al.,	M	C	R	202
John R. Tippit, et al.,	M	C	R	204
Mary E. Tippit,	M	C	R	347
Suetta Tippit,	M	C	R	348
Marion N. McGee, et al.,	M	C	R	1048
James F. McGee, et al.,	M	C	R	1049
Mattie Walker, et al.,	M	C	R	1160
Marion E. Martin,	M	C	R	1161
David Martin, et al.,	M	C	R	1162
Callie Walker, et al.,	M	C	R	1164
Sallie Carroll, et al.,	M	C	R	1165
Verna Annabel Pierson, et al.,	M	C	R	1176
George F. Martin, et al.,	M	C	R	1182
Malitee Paralee Harris, et al.,	M	C	R	1185
Robert M. Martin, et al.,	M	C	R	1188
Neatie Bozeman,	M	C	R	1189
Rutherford McDuffey Martin,	M	C	R	1190
Rotha B. Walker,	M	C	R	1191
David Moseley Walker,	M	C	R	2086
Evie Melton, et al.,	M	C	R	2138
Robert F. Williams, et al.,	M	C	R	2245
William H. Williams,	M	C	R	2246
Mollie Williams,	M	C	R	2247
Maggie Williams,	M	C	R	2248
Susan A. B. Terry, et al.,	M	C	R	2325
John H. Martin, et al.,	M	C	R	2326
Joseph P. Martin,	M	C	R	2327
Ada Wylie,	M	C	R	2480
William T. Wright,	M	C	R	2481
Mitchel L. Wright, et al.,	M	C	R	2482

Martha L. Wright, et al.,	M	C	R	2483
James G. Wright, et al.,	M	C	R	2484
Nannie Parnell, et al.,	M	C	R	2493
Thomas M. Martin,	M	C	R	2501
Robert A. Martin,	M	C	R	2508
Anna Parnell, et al.,	M	C	R	2637
William S. Eaves, et al.,	M	C	R	3621
Rebecca Lue Hooks, et al.,	M	C	R	3622
Sarah J. Chambers, et al.,	M	C	R	3668
Emily A. Eaves, et al.,	M	C	R	3669
Willie Jowers,	M	C	R	3670
Annie Atchison, et al.,	M	C	R	3671
William F. Martin, et al.,	M	C	R	3677
Mary J. Tate, et al.,	M	C	R	3678
Eliza Perkerson,	M	C	R	3679
Ettie Merritt,	M	C	R	3680
Jesse Z. Eaves, et al.,	M	C	R	3681
Pierson G. W. Hooks,	M	C	R	3682
Effie Harris,	M	C	R	3683
Walter Martin,	M	C	R	3684
James W. Campbell, et al.,	M	C	R	3685
Margaret Missouri Campbell,	M	C	R	3745
Elijah Campbell,	M	C	R	3746
Mildred Annett Wallace,	M	C	R	3747
Eliazer J. Milling, et al.,	M	C	R	3748
James Eaves,	M	C	R	3749
Walter Eaves,	M	C	R	3750
David W. Martin, et al.,	M	C	R	3909
Mattie Warner,	M	C	R	3910
Vesta M. Herod,	M	C	R	3911
Robert W. Martin, et al.,	M	C	R	4491

Said decision after a review of the evidence submitted concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495), is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Susan J. Tippit, Gena J. Tippit, James T. Tippit, William J. Tippit, Eunice Tippit, Minnie H. Tippit, Alva N. Tippit, Hazel Tippit, John R. Tippit, Mary E. Peterson, J. Aubrey Peterson, Suetta Tippit, Marion N. McGee, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee, Nettie L. McGee, James F. McGee, Gertie McGee, Mattie Walker, Jimmie Joe Walker, Ursie Callie Walker, Marion E. Martin, David Martin, Arthur Martin, Evie Estelle Martin, Callie Walker, Walter Stanford Walker, Audress More Walker, Sallie Carroll, James Robert Carroll, John Spurgeon Carroll, Melvin Hudson Carroll, Furney Jackson Carroll, Le Vert Milling Carroll, Le Trell Carroll, Reuben Mixon Carroll, Verna Annabel Pierson, Glenwood Marion Pierson, George F. Martin, Howell Martin, Edna Martin, Paul Martin, Carrie Beatrice Martin, Malitee Paralee Harris, Curtis Harris, Virgie Harris, Clyde Harris, Robert M. Martin,

Benjamin Martin, David Martin, Mary Martin, Edna Martin, Charley Martin, George Martin, Della Martin, Silas Martin, Inez Martin, Lula Martin, Paul Martin, Gracie Martin, Neatie Boze-man, Rutherford McDuffey Martin, Rotha B. Walker, David Moseley Walker, Evie Melton, Evelyn Marie Melton, Oliver Reynolds Melton, Robert F. Williams, Lucy Williams, Janie Williams, Robert Williams, William H. Williams, Mollie Williams, Maggie Williams, Susan A. B. Terry, Birdie A. B. Talley, Mattie L. Terry, Addie E. Terry, Robert I. Terry, Velma M. Terry, William W. Terry, John H. Martin, Ulysus C. Martin, Eva Martin, Joseph P. Mar-tin (dead), Ada Wylie, William T. Wright, Mitchel L. Wright, Lou Thelma Wright, Martha L. Wright, David M. Wright, Rebecca Wright, James G. Wright, Robert Orvin Wright, Eddie Susie Wright, Nannie Parnell, Lealla Parnell, Eva Parnell, Erly Parnell, Velma Parnell, Wil-lie May Parnell, Thomas M. Martin, Robert A. Martin, Anna (M) Parnell, Carrie I. Parnell, William S. Eaves, Elizabeth F. Eaves, Mary Lue Eaves, Pierson L. Eaves, Rebecca Lue Hooks, Eliza Dorcas Hooks, Sarah J. Chambers, Lila May Chambers, Emily A. Eaves, Mar-vin Eaves, Willie Jowers, Annie Atchison, Luther D. Atchison, Edward Atchison, Willam F. Martin, Annie Lee Martin, Leonard Allen Martin, Mary J. Tate, Aubrey J. Tate, Eliza Perkerson, Ettie Merritt, Jesse Z. Eaves, Willie Eaves, Ola May Eaves, Pierson G. W. Hooks, Effie Harris, Walter Martin, James W. Campbell, Lillian E. Campbell, Lela G. Campbell, Mamie I. Campbell, Margaret Missouri Campbell, Elijah Campbell, Mildred Annett Wallace, Eliazer J. Milling, Robert Milling, Johnny Milling, Willie Milling, Palestine Milling, Luella Milling, James Eaves, Walter Eaves, David W. Martin, Sammy D. Martin, Emily L. Martin, Robert A. Martin, Ruby A. Martin, Tom Smith Martin, Leslie L. Martin, Omega Martin, Mattie Warner, Vesta M. Herod, Robert W. Martin. Robert W. Martin, Jr., Zada I. Martin, and William W. Martin as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Susan J. Tippit for the identification of her husband, James A. Tippit, the application made by Alva N. Tippit for the identification of his wife, Edna Tippit, and the application made by John R. Tippit for the identification of his wife, Dora Tippit, as intermar-ried Mississippi Choctaws, should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED *Tamm Bixby.*

Registered.

Acting Chairman.

COPY

H.C.N. 3909

McKehee, Indian Territory, November 18, 1902.

David W. Martin,

Complains, Texas.

Dear Sir:

You are hereby advised that on the 1st day of November, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Susan J. Tippit, et al., of which decision you were advised by registered mail on the 31st day of April, 1902.

The Commission is directed to advise you that this decision is subject to your inspection.

Respectfully,

SIGNED

Tams Birby.

Acting Chairman.

M.C.R. 3909.

Muskogee, Indian Territory, December 21, 1903.

David W. Martin,
Grapeland, Texas.

Dear Sir:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippet, et al., in which case the decision of the Commission rejecting the applicants was approved by the Department, November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

D. V. N. ————

ment now directs the Commission to notify you that if you wish to take any further action relative to the motion filed by W. H. Springer, on March 24, 1908, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

COPY

MCR-3909

Muskogee, Indian Territory, January 17, 1907.

David W. Martin,
Grapeland, Texas.

Dear Sir:-

You are hereby notified that on January 7, 1907, the Secretary of the Interior denied a motion, filed June 26, 1906, by Albert J. Lee, attorney at law, Ardmore, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Susan J. Tippit et al., of which the application for the identification of yourself and children is a part.

Respectfully,

SIGNED *Tams Bixby.*

Commissioner.

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name David W. Martin

Age 52 Blood 1/8

Post Office, Grapeland, Texas.

Father: Robert M. Martin, D

Mother: Martha " D

Claims through father -
wife (1)

Lucy M. Martin, d. w.

wife (2) Ella " d. w.

Children:

Sammy O. boy, Martin 16

Emily L. girl, " 14

Robert A. boy, " 12

Ruby A. girl " 10

Tom S. boy " 8

Leslie L boy " 6

Omega girl " 4

Claims for self & children

Stenographer Hal Bedford

Choctaw MCR 3910

Mattie Warner

See MCR 203

MCR 3910

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3910.

In the matter of the application of Mattie Warner for
identification as a Mississippi Chectaw.

Applicant represented by J. E. Arnold, Attorney.

Mattie Warner, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Mattie Warner.
Q M-a-t-t-i-e? A Yes sir.
Q What is your age? A Twenty-one.
Q What is your post office address? A Grapeland, Texas.
Q How long have you lived there? A I have lived there-----.
Q All your life? A Nearly near.
Q Where were you born? A I was born in Hunt County.
Q Texas? A Yes sir.
Q Went from there to Grapeland? A Yes sir.
Q What County is that? A Houston.
Q What is your father's name? A David W. Martin.
Q He appeared for identification to-day didn't he here at Atoka?
A Yes sir.
Q What is your mother's name? A Lucy D. Martin.
Q Is she living? A No sir.
Q Through which parent do you claim Chectaw blood? A Father.
Q How much do you claim? A Sixteenth.
Q Has your father ever been recognized in any way or enrolled as a
member of the Chectaw tribe of Indians by the Chectaw tribal
authorities or the United States authorities in the Indian Terri-
tory? A No sir, not that I know of.
Q Have you the proof of the marriage of your father and mother?
A No sir, I haven't.
Q You can produce that I suppose if you desire? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Willie D. Warner.
Q Willie? A Yes sir.
Q White man? A Yes sir.
Q Do you make any claim for him? A No.
Q Have you any children you want to make application for? A No sir

(2).

- Q Claim for yourself alone? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application for citizenship in the Choctaw Nation either to the Choctaw Tribal Authorities or the United States Authorities in the Territory? A No sir.
- Q This the first application of any kind you have ever made, is it? A Yes sir.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir, I think I do.
- Q Heard it read a number of times and explained? A Yes sir.
- Q And explained? A Yes sir.
- Q Do you waive the explanation of it now? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that article read and explained a number of times so that you understand it fully, do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article? A Not that I know of.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Martha Martin
- Q What relation was she to you? A Great-great-grandmother.

(43).

- Q How much Choctaw blood did you ever hear she had? A Half.
- Q You don't mean great-great-grandmother do you? A Yes sir, I reckon it was.
- Q How much Choctaw blood did she have? A I have heard that she was half.
- Q Is that a matter of family history and tradition? A Yes sir.
- Q Where was she born? A I don't know.
- Q When and where did she die? A She died in Alabama.
- Q Do you know where? A No sir.
- Q Did she live in Alabama all her life? A I don't know.
- Q Do you know if she lived in the old Choctaw Nation there in Alabama? A No sir, I do not.
- Q Did she have a Choctaw Indian name? A Not that I know of.
- Q Did she speak the Choctaw language? A Not that I know of.
- Q You don't know whether she complied with article XIV of the Treaty of 1830 or not? A No sir, I do not.
- Q Did she live in Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Yes sir, I think so.
- Q Did she have a family at that time there? A Yes sir.
- Q What was her husband's name do you know? A No sir, I do not.
- Q Was he a whiteman? A I couldn't tell you.
- Q You claim through your father? A Yes sir.
- Q Your father made application to-day did he not? A Yes sir.
- Q Your father is how old? A Fifty-two.
- Q Where was he born? A In Alabama.
- Q He claimed through which parent, father or mother? A Claimed through his father.
- Q What was his father's name? A Robert Martin, I believe. I am not certain what papa's father's name was.
- Q You don't know your father's father's name. You give it Robert Martin? A N.
- Q Robert M. is right isn't it? A yes sir.
- Q He claimed through which parent, father or mother? A Through his mother.
- Q Martha Martin? A Yes sir.
- Q Now did any of these Choctaw ancestors that I have named, did they all live in Alabama except your father and did your father live there? A Well, father lived there the first part of his life.
- Q But you don't know whether they lived in the old Choctaw Nation there? A No sir, I do not.
- Q Did any of them own any improvements on land in Mississippi or Alabama in 1830? A Not that I know of.
- Q Did any of them ever go from Mississippi or Alabama with the other Indians between 1833 and 1838 or 1840 to the new Choctaw Nation Indian Territory? A Not that I know of.
- Q Did any of them within six months after the ratification of the treaty of 1830 tell the United States Indian Agent, Colonel Ward that they intended to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors claim any land under Article XIV of the Treaty of 1830? A Not that I know of.
- Q Did they claim any land or receive any benefits under any other article of the Treaty of 1830 than article XIV or under the supplement of that Treaty? A No sir, not that I know of.
- Q The United States Indian Agent, Colonel Ward who lived in Mississippi in 1830 was instructed by the Government to make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the Treaty of 1830 and declared to him their intentions of staying in Mississippi, taking land there and becoming citizens of the United States. This Agent made

(4).

a list called Ward's Register upon which he placed the names of some Choctaw Indians who claimed benefits under Article XIV, leaving the greater number of names off his list of those who complied with the provisions of Article XIV of the Treaty of 1830 by declaring their intentions to him within six months from the ratification of the Treaty of 1830 of remaining in Mississippi and taking land there. Some of these people afterwards took land or had already occupied land, but as their names did not appear upon Ward's Register, the Government dispossessed them of their land and improvements. This caused many complaints among the Indians so that in 1837 Congress appointed a Commission which went to Mississippi and heard claimants under Article XIV of that treaty and made lists of the names of all claimants who appeared before it, successful and unsuccessful. In 1842 another Commission was appointed by Congress for the same purpose and this one went to the state of Mississippi and heard all claimants under Article XIV of that treaty. Do you know whether any of your ancestors appeared before either of those two Commissions and claimed any rights or benefits under Article XIV of the Treaty of 1830? A I do not know.

- Q Did any of your ancestors to your knowledge receive any scrip from the Government as Choctaw Indians which entitled them to select land either in Mississippi Alabama, Louisiana or Arkansas?
A No sir, I don't know.
- Q Have you any documentary evidence that you want to present now?
A None to-day.

reasonable time will be given for you to introduce proper documentary or other evidence in support of this application.

- Q Are there any kin-folks of yours who have made application for identification as Mississippi Choctaws before the Commission either here or in Mississippi? A Yes sir, Papa made application here to-day, and quite a host of them in Mississippi.
- Q David W. Martin, John H. Martin, Emily Evand, Mattie Walker; these are all relatives of yours and claim through the same common ancestor, Martha Martin. Do you want to have their testimony considered with yours when yours is considered that you may get the benefit of that which they have testified to? A Yes sir, I do.
- Q Do you speak or understand the Choctaw language? A No sir.
- Q Is there anything more you want to say now in support of this claim?
A No sir, not that I know of.

This applicant has the appearance and physical characteristics of being descended from white parentage. Her father who has just appeared before the Commission has brown eyes. She has blue eyes and brown hair. She does not understand or speak the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of the XIV article of the Treaty of 1830.

(8).

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Hal Belford

Subscribed and sworn to before me this 8th day of January, 1902.

Oliver Mitchell

Notary Public.

COMMISSIONERS
HENRY L. DAWES
TAMM BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

COPY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, April 21, 1902.

Mattie Warner,

Grapeland, Texas.

Dear Madam:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Susan J. Tippit, et al., embracing the following applications for identification as Mississippi Choctaws:

Susan J. Tippit, et al.,	M	C	R	203
Alva N. Tippit, et al.,	M	C	R	202
John R. Tippit, et al.,	M	C	R	204
Mary E. Tippit,	M	C	R	347
Suetta Tippit,	M	C	R	348
Marion N. McGee, et al.,	M	C	R	1048
James F. McGee, et al.,	M	C	R	1049
Mattie Walker, et al.,	M	C	R	1160
Marion E. Martin,	M	C	R	1161
David Martin, et al.,	M	C	R	1162
Callie Walker, et al.,	M	C	R	1164
Sallie Carroll, et al.,	M	C	R	1165
Verna Annabel Pierson, et al.,	M	C	R	1176
George F. Martin, et al.,	M	C	R	1182
Malitee Paralee Harris, et al.,	M	C	R	1185
Robert M. Martin, et al.,	M	C	R	1188
Neatie Bozeman,	M	C	R	1189
Rutherford McDuffey Martin,	M	C	R	1190
Rotha B. Walker,	M	C	R	1191
David Moseley Walker,	M	C	R	2086
Evie Melton, et al.,	M	C	R	2138
Robert F. Williams, et al.,	M	C	R	2245
William H. Williams,	M	C	R	2246
Mollie Williams,	M	C	R	2247
Maggie Williams,	M	C	R	2248
Susan A. B. Terry, et al.,	M	C	R	2325
John H. Martin, et al.,	M	C	R	2326
Joseph P. Martin,	M	C	R	2327
Ada Wylie,	M	C	R	2480
William T. Wright,	M	C	R	2481
Mitchel L. Wright, et al.,	M	C	R	2482

Martha L. Wright, et al.,	M	C	R	2483
James G. Wright, et al.,	M	C	R	2484
Nannie Parnell, et al.,	M	C	R	2493
Thomas M. Martin,	M	C	R	2501
Robert A. Martin,	M	C	R	2508
Anna Parnell, et al.,	M	C	R	2637
William S. Eaves, et al.,	M	C	R	3621
Rebecca Lue Hooks, et al.,	M	C	R	3622
Sarah J. Chambers, et al.,	M	C	R	3668
Emily A. Eaves, et al.,	M	C	R	3669
Willie Jowers,	M	C	R	3670
Annie Atchison, et al.,	M	C	R	3671
William F. Martin, et al.,	M	C	R	3677
Mary J. Tate, et al.,	M	C	R	3678
Eliza Perkerson,	M	C	R	3679
Ettie Merritt,	M	C	R	3680
Jesse Z. Eaves, et al.,	M	C	R	3681
Pierson G. W. Hooks,	M	C	R	3682
Effie Harris,	M	C	R	3683
Walter Martin,	M	C	R	3684
James W. Campbell, et al.,	M	C	R	3685
Margaret Missouri Campbell,	M	C	R	3745
Elijah Campbell,	M	C	R	3746
Mildred Annett Wallace,	M	C	R	3747
Eliazer J. Milling, et al.,	M	C	R	3748
James Eaves,	M	C	R	3749
Walter Eaves,	M	C	R	3750
David W. Martin, et al.,	M	C	R	3909
Mattie Warner,	M	C	R	3910
Vesta M. Herod,	M	C	R	3911
Robert W. Martin, et al.,	M	C	R	4491

Said decision after a review of the evidence submitted concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495), is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Susan J. Tippit, Gena J. Tippit, James T. Tippit, William J. Tippit, Eunice Tippit, Minnie H. Tippit, Alva N. Tippit, Hazel Tippit, John R. Tippit, Mary E. Peterson, J. Aubrey Peterson, Suetta Tippit, Marion N. McGee, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee, Nettie L. McGee, James F. McGee, Gertie McGee, Mattie Walker, Jimmie Joe Walker, Ursie Callie Walker, Marion E. Martin, David Martin, Arthur Martin, Evie Estelle Martin, Callie Walker, Walter Stanford Walker, Audress More Walker, Sallie Carroll, James Robert Carroll, John Spurgeon Carroll, Melvin Hudson Carroll, Furney Jackson Carroll, Le Vert Milling Carroll, Le Trell Carroll, Reuben Mixon Carroll, Verna Annabel Pierson, Glenwood Marion Pierson, George F. Martin, Howell Martin, Edna Martin, Paul Martin, Carrie Beatrix Martin, Malitee Paralee Harris, Curtis Harris, Nannie Harris, Virgie Harris, Clyde Harris, Robert M. Martin,

Benjamin Martin, David Martin, Mary Martin, Edna Martin, Charley Martin, George Martin, Della Martin, Silas Martin, Inez Martin, Lula Martin, Paul Martin, Gracie Martin, Neatie Boze-
man, Rutherford McDuffey Martin, Rotha B. Walker, David Moseley Walker, Evie Melton,
Evelyn Marie Melton, Oliver Reynolds Melton, Robert F. Williams, Lucy Williams, Janie
Williams, Robert Williams, William H. Williams, Mollie Williams, Maggie Williams, Susan
A. B. Terry, Birdie A. B. Talley, Mattie L. Terry, Addie E. Terry, Robert I. Terry, Velma
M. Terry, William W. Terry, John H. Martin, Ulysus C. Martin, Eva Martin, Joseph P. Mar-
tin (dead), Ada Wylie, William T. Wright, Mitchel L. Wright, Lou Thelma Wright, Martha
L. Wright, David M. Wright, Rebecca Wright, James G. Wright, Robert Orvin Wright, Eddie
Susie Wright, Nannie Parnell, Lealla Parnell, Eva Parnell, Erly Parnell, Velma Parnell, Wil-
lie May Parnell, Thomas M. Martin, Robert A. Martin, Anna (M) Parnell, Carrie I. Parnell,
William S. Eaves, Elizabeth F. Eaves, Mary Lue Eaves, Pierson L. Eaves, Rebecca Lue
Hooks, Eliza Dorcas Hooks, Sarah J. Chambers, Lila May Chambers, Emily A. Eaves, Mar-
vin Eaves, Willie Jowers, Annie Atchison, Luther D. Atchison, Edward Atchison, Willam F.
Martin, Annie Lee Martin, Leonard Allen Martin, Mary J. Tate, Aubrey J. Tate, Eliza
Perkerson, Ettie Merritt, Jesse Z. Eaves, Willie Eaves, Ola May Eaves, Pierson G. W.
Hooks, Effie Harris, Walter Martin, James W. Campbell, Lillian E. Campbell, Lela G.
Campbell, Mamie I. Campbell, Margaret Missouri Campbell, Elijah Campbell, Mildred Annett
Wallace, Eliazer J. Milling, Robert Milling, Johnny Milling, Willie Milling, Palestine Milling,
Luella Milling, James Eaves, Walter Eaves, David W. Martin, Sammy D. Martin, Emily L.
Martin, Robert A. Martin, Ruby A. Martin, Tom Smith Martin, Leslie L. Martin, Omega
Martin, Mattie Warner, Vesta M. Herod, Robert W. Martin. Robert W. Martin, Jr., Zada I.
Martin, and William W. Martin as Choctaw Indians entitled to rights in the Choctaw lands un-
der the provision of law above quoted, and that the applications for their identification as such
should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above
quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that
the application made by Susan J. Tippit for the identification of her husband, James A. Tippit,
the application made by Alva N. Tippit for the identification of his wife, Edna Tippit, and the
application made by John R. Tippit for the identification of his wife, Dora Tippit, as intermar-
ried Mississippi Choctaws, should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in
this case to the Secretary of the Interior for review and you will be informed in due time of
such action as may be taken by him.

Yours truly,

(SIGNED). *Tams Bixby.*

Registered.

Acting Chairman.

D.C.R. 3910

Wichita, Indian Territory, November 12, 1902.

Matie Warner,

Grapeland, Texas.

Dear Madam:

You are hereby advised that on the 1st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Cheaters of the several persons included in the consolidated case of Susan J. Tippit, et al., of which decision you were advised by registered mail on the 21st day of April, 1902.

The Commission is directed to advise you that this decision is subject to your inspection.

Respectfully,

(SIGNED)

Tams Bixby.

Acting Chairman

M.C.R. 3910.

Muskogee, Indian Territory, December 31, 1903.

Mattie Warner,
Grapeland, Texas.

Dear Madam:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippit, et al., in which case the decision of the Commission rejecting the applicants was approved by the Department, November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

X V ———

ment now directs the Commission to notify you that if you wish to take any further action relative to the motion filed by W. H. Springer, on March 24, 1935, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

COPY

MCR-3910

Muskogee, Indian Territory, January 17, 1907.

Mattie Warner,
Grapeland, Texas.

Dear Madam:-

You are hereby notified that on January 7, 1907, the Secretary of the Interior denied a motion, filed June 25, 1906, by Albert J. Lee, attorney at law, Ardmore, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Susan J. Tippit et al., of which the application for the identification of yourself is a part.

Respectfully,

SIGNED

Tams Bixby.

Commissioner.

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name *Mattie Warner* **WARNER**

Age *21*

Blood *1/16*

Post Office, *Graptland, Texas*

Father; *David W. Martin, d.*

Mother: *Lucy H. Martin, d.*

Claims through *father*
~~husband~~

Willie T. Warner, Jr.

No claim for husband

~~Children:~~

Claims for self alone

Stenographer *Nal Belford*

Choctaw MCR 3911

Vesta M. Herod

See MCR 203

MCR 3911

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3911.

In the matter of the application of Vesta M. Herod for
identification as a Mississippi Choctaw.

Applicant represented by J. E. Arnold, Attorney.

Vesta M. Herod, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Vesta M. Herod.
Q What? A Vesta M. Herod.
Q What? A V-e-s-t-a M.
Q How the last? A Herod, H-e-r-o-d .
Q What is your age? A Eighteen.
Q Are you married? A Yes sir.
Q What is your post office address? A Grapeland, Texas.
Q Where were you born? A Hunt County.
Q And went from there where? A To Houston County.
Q And have lived there since? A Yes sir.
Q What is your father's name? A David W. Martin.
Q He appeared here for identification to-day did he not? A Yes sir.
Q What is your mother's name? A Ella Martin.
Q Is she living? A Yes sir.
Q Through which of these parents do you claim Choctaw blood? A Fa-
ther.
Q How much do you claim? A Sixteenth.
Q Has your father ever been recognized in any way or enrolled as a
member of the Choctaw tribe of Indians by the Choctaw Tribal Auth-
orities or the United States authorities in the Indian Territory?
A No sir.
Q Have you the proof of the marriage of your father and mother?
A No sir, but I can get it.
Q You can get it if you desire can you? A Yes sir.
Q Are you married? A Yes sir.
Q Can you say when and where your father and mother were married?
A Hunt County.
Q What date? A '82.
Q Do you remember the day of the month? A 14th of June I think. I
wouldn't be for certain.

(2).

- Q By a minister under a license? A Yes sir.
Q What is your husband's name? A Mack Herod.
Q M-a-c-k? A Yes sir.
Q Do you make any claim for him? A No sir.
Q What is his nationality? A Farming.
Q He is a white man? A Yes sir.
Q Have you any children that you want to make application for? A No sir.
Q You claim for yourself alone do you? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
Q Have you ever been enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
Q Did you ever before this time try to become enrolled as a member of the Choctaw tribe of Indians by making application either to the Choctaw Tribal Authorities or the United States Authorities? A No sir.
Q This is your first application is it for identification as a Mississippi Choctaw or for enrollment as a Mississippi Choctaw? A Yes sir.
Q Do you now seek to be identified as a Mississippi Choctaw claiming your right under Article XIV of the Treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A yessir.
Q You have heard it read I suppose? A Yes sir.
Q About how many times do you think you have heard that read and explained? A I have heard you read it a good many times. I don't know how many.
Q A good many times? A yes sir.
Q And fully explained? A Yes sir.
Q You think you understand it now pretty well? A Yes sir.
Q Do you waive the explanation of it? A Yes sir.
Q Now article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the

(3).

ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained and as you understand it you think, do you know if any of your Choctaw ancestors complied with any of the provisions or attempted to comply with any of the provisions of that article of that treaty? A No sir I do not.
- Q What is the name of the ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Martha Martin
- Q What relation was she to you? A Great-grandmother.
- Q Great-grandmother. She lived where when she was living? A In Alabama I suppose.
- Q Did she die in Alabama? A Yes sir.
- Q Do you know where in Alabama? A No sir.
- Q Do you know if she lived in that portion of Alabama that was comprised in the old Choctaw Nation? A I do not.
- Q That would be in the western part along the boundary line. How much Choctaw blood did she have? A Half.
- Q How do you know she had half? A Well, my father-----I have been told that by the connections.
- Q Matter of family history and tradition is it? A Yes sir.
- Q You have no proof of that except what you have heard in the family? A No sir.
- Q Did your father and mother ever tell you about that, about her being half? A Father.
- Q You claim through your father do you? A Yes sir.
- Q Was he born in Alabama? A Yes sir.
- Q When was he born? A In '49.
- Q Born in 1849? A Yes sir.
- Q In Alabama do you know where in Alabama? A Dallas County I suppose.
- Q He claims through which parent, father or mother? A Father.
- Q His name was what? A Robert Martin.
- Q Did he live in Alabama? A Yes sir.
- Q Did he die there? A Yes sir.
- Q How old would he be if living now do you know? A Yes sir, he'd be almost seventy I suppose
- Q Think he'd be that old? A Yes sir.
- Q He lived in Alabama did he? A Yes sir.
- Q All his life? A Yes sir.
- Q He claimed through which parent, father or mother? A Father.
- Q His name was what? A Who you talking about?
- Q Robert. A Robert Martin, he claimed through his mother.
- Q What was her name? A Martha Martin.
- Q She was born and raised and died in Alabama was she? A Yes sir.
- Q Can you tell anything about her father or mother? A Well, I have been told that her father was John Moore. His name appears on the old rolls.
- Q John Moore. How much Choctaw blood did he have. A Full blood.
- Q Where did he live? A In Mississippi, I think.
- Q Now did any of your Choctaw ancestors live in the old Choctaw Na-

(4).

tion in Mississippi and Alabama in 1830, and was he the head of a family there at that time? A My great-great-grandfather I suppose, John Moore.

Q Well, do you think that Martha Martin lived in Mississippi or Alabama in 1830 and was the head of a family there at that time? A I don't know.

Q Did any of your ancestors comply with the provisions of Article XIV of the Treaty of 1830? A I don't know.

Q By going to the United States Indian Agent, Colonel Ward and telling him that they wanted to stay in Mississippi and take land there and become citizens of the United States? A I don't know.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.

Q Did any of your Choctaw ancestors go with the other Indians from Alabama or Mississippi, that is from the Old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation between 1833 and 1838 or 1840? A I don't know sir.

Q Did any of your Choctaw ancestors own any land or claim any in Mississippi under Article XIV of the Treaty of 1830? A I don't know sir.

Q Did they own or claim any land or any benefits under any other article of the treaty of 1830 than Article XIV or under the supplement of that treaty? A I do not know.

Q According to the provisions of Article XIV of the treaty of Dancing Rabbit Creek the United States Indian Agent who lived in Mississippi in 1831 was required by the Government to make a list of the names of all those Indians who came to him within six months after the ratification of the Treaty of Dancing Rabbit Creek and told him that they wanted to stay in Mississippi and take land there. He made a list of the names of some of those Indians who did that. Those names are now found in Ward's register, but that register contains only a small fractional part of the total number of Indians who complied with the provisions of Article XIV in reference to making those declarations within six months from the ratification of that treaty. This negligence on the part of the United States Indian Agent caused many Indians to lose their land in Mississippi and Alabama and caused many complaints among the Indians so that in 1837 Congress by an Act that was approved March 3rd of that year appointed a Commission and this Commission went to the State of Mississippi and heard claimants under Article XIV of the Treaty of Dancing Rabbit Creek and made lists of the names of all who appeared before it. In 1842 another Commission was appointed by Congress for the the same purpose and this Commission also made a list of the names of all claimants who claimed benefits before that Commission of 1842 under article XIV of that Treaty. Did any of your Choctaw ancestors appear before either of those two Commissions, that of 1837 or the Commission of 1842 and claim benefits under Article XIV of that treaty? A I don't know.

Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian proved his claim before that Commission of 1842, if at that time it also appeared that he had had his land taken from him by the Government he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land and that a certificate to that effect should be given to him. These certificates were called scrip. Do you know whether any of your Choctaw ancestors received any such scrip from the Government as Choctaw Indians? A I don't know.

(5).

- Q Have you any documentary evidence you want to present now in support of your claim? A Nothing only just the connection.
- Q Do you wish to have time in which to present proof if necessary? A Yes.

Reasonable time will be allowed this applicant in which to offer documentary or other proper proof in support of this application she makes for identification as a Mississippi Choctaw.

- Q Have you any relatives who have appeared before the Commission either here or in Meridian Mississippi for identification as a Mississippi Choctaw? A yes sir.
- Q Their names were given by your father? A Yes sir.
- Q These people are related to you are they? A yes sir.
- Q And all claim through the same Common ancestor? A Yes sir.
- Q Do you want to have the testimony taken in these cases considered when yours is considered in order that you may get the benefit of what they have testified to and the records filed in their cases? A Yes sir.
- Q Do you understand or speak the Choctaw language? A No sir.
- Q Is there anything more you want to say? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage except that she has dark complexion, dark eyes, high cheek bones and very dark brown hair. She does ~~not~~ understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Sworn to and subscribed before me this 8th day of January, 1902.

Hal Belford
Clara Mitchell
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, April 21, 1902.

Vesta M. Herod,

Grapeland, Texas.

Dear Sir:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Susan J. Tippit, et al., embracing the following applications for identification as Mississippi Choctaws:

Susan J. Tippit, et al.,	M	C	R	203
Alva N. Tippit, et al.,	M	C	R	202
John R. Tippit, et al.,	M	C	R	204
Mary E. Tippit,	M	C	R	347
Suetta Tippit,	M	C	R	348
Marion N. McGee, et al.,	M	C	R	1048
James F. McGee, et al.,	M	C	R	1049
Mattie Walker, et al.,	M	C	R	1160
Marion E. Martin,	M	C	R	1161
David Martin, et al.,	M	C	R	1162
Callie Walker, et al.,	M	C	R	1164
Sallie Carroll, et al.,	M	C	R	1165
Verna Annabel Pierson, et al.,	M	C	R	1176
George F. Martin, et al.,	M	C	R	1182
Malitee Paralee Harris, et al.,	M	C	R	1185
Robert M. Martin, et al.,	M	C	R	1188
Neatie Bozeman,	M	C	R	1189
Rutherford McDuffey Martin,	M	C	R	1190
Rotha B. Walker,	M	C	R	1191
David Moseley Walker,	M	C	R	2086
Evie Melton, et al.,	M	C	R	2138
Robert F. Williams, et al.,	M	C	R	2245
William H. Williams,	M	C	R	2246
Mollie Williams,	M	C	R	2247
Maggie Williams,	M	C	R	2248
Susan A. B. Terry, et al.,	M	C	R	2325
John H. Martin, et al.,	M	C	R	2326
Joseph P. Martin,	M	C	R	2327
Ada Wylie,	M	C	R	2480
William T. Wright,	M	C	R	2481
Mitchel L. Wright, et al.,	M	C	R	2482

Martha L. Wright, et al.,	M	C	R	2483
James G. Wright, et al.,	M	C	R	2484
Nannie Parnell, et al.,	M	C	R	2493
Thomas M. Martin,	M	C	R	2501
Robert A. Martin,	M	C	R	2508
Anna Parnell, et al.,	M	C	R	2637
William S. Eaves, et al.,	M	C	R	3621
Rebecca Lue Hooks, et al.,	M	C	R	3622
Sarah J. Chambers, et al.,	M	C	R	3668
Emily A. Eaves, et al.,	M	C	R	3669
Willie Jowers,	M	C	R	3670
Annie Atchison, et al.,	M	C	R	3671
William F. Martin, et al.,	M	C	R	3677
Mary J. Tate, et al.,	M	C	R	3678
Eliza Perkerson,	M	C	R	3679
Ettie Merritt,	M	C	R	3680
Jesse Z. Eaves, et al.,	M	C	R	3681
Pierson G. W. Hooks,	M	C	R	3682
Effie Harris,	M	C	R	3683
Walter Martin,	M	C	R	3684
James W. Campbell, et al.,	M	C	R	3685
Margaret Missouri Campbell,	M	C	R	3745
Elijah Campbell,	M	C	R	3746
Mildred Annett Wallace,	M	C	R	3747
Eliazer J. Milling, et al.,	M	C	R	3748
James Eaves,	M	C	R	3749
Walter Eaves,	M	C	R	3750
David W. Martin, et al.,	M	C	R	3909
Mattie Warner,	M	C	R	3910
Vesta M. Herod,	M	C	R	3911
Robert W. Martin, et al.,	M	C	R	4491

Said decision after a review of the evidence submitted concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495), is as follows :

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Susan J. Tippit, Gena J. Tippit, James T. Tippit, William J. Tippit, Eunice Tippit, Minnie H. Tippit, Alva N. Tippit, Hazel Tippit, John R. Tippit, Mary E. Peterson, J. Aubrey Peterson, Suetta Tippit, Marion N. McGee, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee, Nettie L. McGee, James F. McGee, Gertie McGee, Mattie Walker, Jimmie Joe Walker, Ursie Callie Walker, Marion E. Martin, David Martin, Arthur Martin, Evie Estelle Martin, Callie Walker, Walter Stanford Walker, Audress More Walker, Sallie Carroll, James Robert Carroll, John Spurgeon Carroll, Melvin Hudson Carroll, Furney Jackson Carroll, Le Vert Milling Carroll, Le Trell Carroll, Reuben Mixon Carroll, Verna Annabel Pierson, Glenwood Marion Pierson, George F. Martin, Howell Martin, Edna Martin, Paul Martin, Carrie Beatrice Martin, Malitee Paralee Harris, Curtis Harris, Nannie Harris, Virgie Harris, Clyde Harris, Robert M. Martin,

Benjamin Martin, David Martin, Mary Martin, Edna Martin, Charley Martin, George Martin, Della Martin, Silas Martin, Inez Martin, Lula Martin, Paul Martin, Gracie Martin, Neatie Boze-man, Rutherford McDuffey Martin, Rotha B. Walker, David Moseley Walker, Evie Melton, Evelyn Marie Melton, Oliver Reynolds Melton, Robert F. Williams, Lucy Williams, Janie Williams, Robert Williams, William H. Williams, Mollie Williams, Maggie Williams, Susan A. B. Terry, Birdie A. B. Talley, Mattie L. Terry, Addie E. Terry, Robert I. Terry, Velma M. Terry, William W. Terry, John H. Martin, Ulysus C. Martin, Eva Martin, Joseph P. Martin (dead), Ada Wylie, William T. Wright, Mitchel L. Wright, Lou Thelma Wright, Martha L. Wright, David M. Wright, Rebecca Wright, James G. Wright, Robert Orvin Wright, Eddie Susie Wright, Nannie Parnell, Lealla Parnell, Eva Parnell, Erly Parnell, Velma Parnell, Willie May Parnell, Thomas M. Martin, Robert A. Martin, Anna (M) Parnell, Carrie I. Parnell, William S. Eaves, Elizabeth F. Eaves, Mary Lue Eaves, Pierson L. Eaves, Rebecca Lue Hooks, Eliza Dorcas Hooks, Sarah J. Chambers, Lila May Chambers, Emily A. Eaves, Marvin Eaves, Willie Jowers, Annie Atchison, Luther D. Atchison, Edward Atchison, William F. Martin, Annie Lee Martin, Leonard Allen Martin, Mary J. Tate, Aubrey J. Tate, Eliza Perkerson, Ettie Merritt, Jesse Z. Eaves, Willie Eaves, Ola May Eaves, Pierson G. W. Hooks, Effie Harris, Walter Martin, James W. Campbell, Lillian E. Campbell, Lela G. Campbell, Mamie I. Campbell, Margaret Missouri Campbell, Elijah Campbell, Mildred Annett Wallace, Eliazer J. Milling, Robert Milling, Johnny Milling, Willie Milling, Palestine Milling, Luella Milling, James Eaves, Walter Eaves, David W. Martin, Sammy D. Martin, Emily L. Martin, Robert A. Martin, Ruby A. Martin, Tom Smith Martin, Leslie L. Martin, Omega Martin, Mattie Warner, Vesta M. Herod, Robert W. Martin, Robert W. Martin, Jr., Zada I. Martin, and William W. Martin as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Susan J. Tippit for the identification of her husband, James A. Tippit, the application made by Alva N. Tippit for the identification of his wife, Edna Tippit, and the application made by John R. Tippit for the identification of his wife, Dora Tippit, as intermarried Mississippi Choctaws, should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Tame Bixby.

Registered.

Acting Chairman.

COPY

M.C.R. 3911.

Muskogee, Indian Territory, November 18, 1902.

Vesta M. Herod,
Grapeland, Texas.

*Re-mailed Grapeland Texas
Nov 24 1902
addressed formerly to I.T.*

Dear Madam:

You are hereby advised that on the 1st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Susan J. Tippit, et al., of which decision you were advised by registered mail on the 21st day of April, 1902.

The Commission is directed to advise you that this decision is subject to your inspection.

Respectfully,

SIGNED

James B. Baxby

Acting Chairman.

M.O.R. 3911.

Muskogee, Indian Territory, December 21, 1903.

Vesta M. Herod,

Grapeland, Texas.

Dear Madam:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippit, et al., in which case the decision of the Commission rejecting the applicants was approved by the Department, November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

V M H—

ment now directs the Commission to notify you that if you wish to take further action relative to the motion filed by W. M. Springer, on March 24, 1905, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

COPY

MCR-3911

Muskogee, Indian Territory, January 17, 1907.

Vesta M. Hered,
Grapeland, Texas.

Dear Madam:-

You are hereby notified that on January 7, 1907, the Secretary of the Interior denied a motion, filed June 25, 1906, by Albert J. Lee, attorney at law, Ardmore, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Susan J. Tippit et al., of which the application for the identification of yourself is a part.

Respectfully,

SIGNED *Wams Bixby.*

Commissioner.

No. 3841

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Vesta M. Herod

Age 18 Blood 1/16

Post Office, Opelousas, Texas

Father: David W. Martin, l

Mother: Ella " l

Claims through father —
Husband: Mack Herod, W.
No claim for husband

~~Residence:~~

Claim for self
alone -

Stenographer

Neal Belford

1913

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3912.

In the matter of the application of Nannie Garland for
identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Nannie Garland, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Nannie Garland, Nannie L. Garland.
Q What is your age? A Twenty-five.
Q What is your post office address? A Annena, Texas.
Q A-n-n-e-n-a is that? A Yes sir.
Q How long have you lived there? A I have lived there all my life.
Q Born there? A Yes sir.
Q What is your father's name? A Joe D. Garland.
Q What is that? A Joe D. Garland.
Q Joe D., is he living? A Yes sir.
Q And what is your mother's name? A Jessie Garland, Jessie S. Gar-
land, I believe the others gave it.
Q Is she living? A No sir, she's dead.
Q Through which of these parents do you claim Choctaw blood? A My
mother.
Q How much Choctaw blood do you claim? A I do not know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw tribe of Indians by either the Choctaw trib-
al authorities or the United States authorities in the Indian Ter-
ritory? A She has not.
Q When and where were your father and mother married? A Clarks-
ville, Texas.
Q In what year? A In '73 I believe it was.
Q Do you remember the day of the month? A October 27.
Q By a minister under a license? A Yes sir.
Q Are you married? A No sir.
Q You make application just for yourself do you? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
the Indian Territory? A It is not.
Q Did you ever make application for citizenship in the Choctaw Na-
tion to the Choctaw tribal authorities? A No sir.

(2).

- Q Did you ever make application to be enrolled as a member of the Cheetaw Tribe of Indians to the Commission to the Five Civilized tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been enrolled as a member of the Cheetaw Tribe of Indians by either the Cheetaw Tribal Authorities the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made either to the Cheetaw Tribal Authorities or the United States Authorities for citizenship in the Cheetaw Nation? A It is.
- Q Do you now come before this Commission for the purpose of being identified as a Mississippi Cheetaw claiming an interest in the Cheetaw lands in the Indian territory under Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand that article XIV of the Treaty of Dancing Rabbit Creek? A Yes, I suppose so.
- Q You have heard it explained before? A Yes sir.
- Q Do you think you understand it pretty well now? A Yes sir, I guess so.
- Q Do you wish a further explanation? A No sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Cheetaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Cheetaw citizen but if they ever remove are not to be entitled to any portion of the Cheetaw annuity."

- Q How as you understand that article do you know whether any of your Cheetaw ancestors complied or attempted to comply with any of its provisions? A Not that I know of.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Cheetaw? A Rachael Shelton.
- Q What relation was she to you? A She was my great-grandmother.
- Q How much Cheetaw blood did your great-grandmother have? A I don't know.
- Q Did she live in Mississippi or Alabama? A I do not know.
- Q What was her maiden name? A Rachael Marrs I suppose.

(3).

- Q Do you know her father's name? A No sir.
- Q Through which parent did she claim her Choctaw blood, father or mother? A I don't know.
- Q Did you ever hear who her husband was? A Yes, he was Jesse Shelton.
- Q Jesse? A Yes sir.
- Q What was his occupation? A Indian trader I suppose. I have heard that.
- Q Was he all white or part Indian? A He was white.
- Q He was a white man? A Yes sir.
- Q You claim your Choctaw blood through your mother, Jessie S. Garland? A Yes sir.
- Q What was her maiden name? A Latimer.
- Q And she claimed through which parent, father or mother? A Her mother.
- Q What was her name? A Lucinda Latimer.
- Q She claimed through which parent? A Her mother.
- Q What was her name? A Rachael Shelton.
- Q Did any of these people whom you have mentioned as descended from Rachael Shelton ever live in the old Choctaw Nation in Mississippi or Alabama? A No, not that I know of.
- Q Do you know when your mother was born? What date? Q 1853, February 6.
- Q Now what date was her mother born? A Lucinda Latimer?
- Q Yes. A I don't know.
- Q You do not. Then do you know whether or not she lived in the old Choctaw Nation in Mississippi or Alabama? A No sir.
- Q Now can you give any names of any ancestors of yours who were Choctaw Indians or who had Choctaw blood, and were heads of families in Mississippi or Alabama in 1830? A No.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A Not that I know of.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 go to the United States Indian Agent and tell him that they wanted to stay in Mississippi and take land there, or in the old Choctaw Nation? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1840? A I don't know.
- Q Did any of your Choctaw ancestors own any land or claim any under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q You know that is the same as the treaty of 1830? A I don't know.
- Q You never heard about that? A No.
- Q Did any of your Choctaw ancestors claim any benefits or any land under any other article of the Treaty of 1830 than Article XIV of that treaty, or under the supplement of that treaty? A I don't know.
- Q You know what the supplement is don't you of a treaty? A I don't know.
- Q Well, you know when a treaty is all finished and signed by the different parties to it, and then they want to add something more they have to put a supplementary part? A Yes sir.
- Q They supplement it. That is what a supplement means to a treaty. You don't know whether any of your ancestors ever claimed anything under that or not? A No sir.
- Q In accordance with the provisions of Article XIV of the Treaty of

(4).

1830 the United States Indian Agent who lived in Mississippi at that time was required by the United States Government to put down upon his list, his register, the names of all Mississippi Choctaw Indians who came to him within six months from the ratification of the treaty of 1830 and told him that they wanted to stay in Mississippi, they didn't want to go to the new Choctaw nation, Indian Territory, but they wanted to take land in Mississippi and become citizens of the United States. This United States Indian Agent made a list called Ward's Register, upon which he placed the names of a few Indians only of the total number who appeared before him within six months after the ratification of that treaty and did as required by Article XIV of the Treaty of 1830. This failure to make a complete list of the names of all Choctaw Indians who came to him caused many Indians to lose their land in Mississippi and Alabama; it was taken from them and sold at public land sales of the Government. So many complaints were made because of this action on the part of the Government that in 1837 Congress appointed a Commission which went to the state of Mississippi and heard all claimants who desired to come before it and claim rights under article XIV of the Treaty of Dancing Rabbit Creek. In 1842 Congress appointed another Commission for the same purpose and this Commission also made lists of the names of those who came before it, claiming rights under that article of that treaty. Did any of your Choctaw ancestors appear before either of those two Commissions that of 1837 or the Commission of 1842 and claim benefits under Article XIV of that treaty? A I don't know.

- Q The Act of Congress approved August 23, 1842 provides that if a Choctaw Indian appeared before it and claimed-----proved his claim under Article XIV of the Treaty of 1830, if at the time he appeared before that Commission of 1842 it also appeared that his land had been taken from him by the Government, that he should be entitled to select land either in Mississippi Alabama Louisiana or Arkansas and that he should receive a certificate to that effect. These certificates were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government of the United States as Choctaw Indians? A I don't know.
- Q Did you ever hear that any body did? A Yes, Rachael Shelton.
- Q You heard she did? A yes sir.
- Q Now what did you hear about that? A That's all I heard. That's all I know about it.
- Q You don't know anything about what became of that certificate? A No sir.
- Q Where it went to in the family? A No sir.
- Q Whether land was selected under it? A No sir.
- Q Have you any documentary evidence you want to introduce now in support of your application? A No.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of her application; also to prove if she desires that any of her ancestors received scrip from the Government as Choctaw Indians.

(5).

- Q Do you speak Choctaw? A No sir.
Q Don't understand it? A No sir.
Q Is there anything further you want to say in support of your claim
A No sir.
Q On the 28, 29, 30 and 31 of October, 1901, the following persons
appeared before the Commission at its Office at Atoka for identi-
fication as Mississippi Choctaws all claiming through the same
Common Ancestor, Rachael Shelton, as follows:

Mary L. Crook	Idella Garland
Lillian Bedford	Maud M. Shipe
Roberta I. Coleman	James M. Yates
Jessie C. Smith	Victor L. McGlasson
John W. Crook	Cora T. Porter
Charles O. Crook	Cora E. Lindsay
Walter J. Crook	Ada Shelton
Stella W. Schultze	Georgia Porter
Marvin B. Crook	Johnnie G. Berry
Maggie M. Coleman	Marie F. Kidd
Texannah Jones	Clarence G. Hilburn
Fannie Lone	Willetta M. Murphy
Thomas J. R. Yates	Emma G. Stafford
Alice I. Compton	Melville Yates
Jesse R. Shelton	Walter A. Jones
Eli J. Shelton	Verner D. Jones
E. Pearl Shelton	Arthur L. Jones
Irene Thomas	Herbert I. Jones
Florence Carson	Gus B. Shelton
Lola A. Harawya	Jack R. Garland

- These are all relatives of yours aren't they? A Yes sir.
Q Is this the same ancestor through whom you claim Rachael Shelton,
the same one through whom you claim? A yes sir.
Q Do you want to have the evidence and records in their cases con-
sidered with yours in order that you may get the benefit of what
they have presented here? A Yes sir.

This applicant has the appearance and physical character-
istics of being descended from white parentage; medium dark com-
plexion, brown eyes, and dark hair. She does not understand the
Choctaw language or speak it, and has no knowledge of a compliance
on the part of her ancestors with any of the provisions of Article
XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states
that as stenographer to the Commission to the Five Civilized
Tribes he reported in full all the proceedings in the above en-
titled cause on October 31, 1901, and that the above and foregoing
is a full true and correct transcript of his stenographic notes
in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Clarence Hallwood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3912.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Nannie I. Garland,

Annena, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3829
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3881
Sallie Homer Morgan, et al.,	M C R 3882
Sallie Stanley, et al.,	M C R 3848
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W Cross,	M C R 3855
Joel A. Shannon, et al.	M C R 3856
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Shob Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adelino Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Thorese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

James Bixby.

Registered.

Acting Chairman.

MOR 3912

COPY.

Muskogee, Indian Territory, November 20, 1905.

Nannie L. Garland,

Annona, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Beal*
Acting Commissioner.

No. 123
Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name Nannie L. Garland

Age 25.

Blood Irish American.

Post Office, Annona, Texas

Father: Joe W. Garland, l

Mother: Jessie S. " d

p Claims through mother.

~~Chadwell~~

Claims for sep
alone —

Stenographer Hazel Belford

Choctaw MCR 3913

Joella G. Garland

See MCR 3878

MCR 3913

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

3913
#2222

In the matter of the application of Joella G. Garland
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Joella G. Garland, being first duly sworn, upon her
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Joella Garland.
- Q J-o-e? A -e-l-l-a . Joella G.
- Q What is your age? A Twenty-three.
- Q What is your post office address? A Annona Texas.
- Q How long have you lived at Annona? A All my life.
- Q What is your father's name? A Joe Garland. Joe D.
- Q Joe D.? A yes sir.
- Q He is living is he? A Yes sir.
- Q What is your mother's name? A Jessie S. Garland.
- Q She is not living now? A No sir.
- Q Through which parent do you claim Choctaw blood? A Mother.
- Q How much do you claim? A I don't know.
- Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
- Q When and where were your father and mother married? A In Red River County, near Clarksville, October 27, 1853 I believe-----no '73.
- Q By a minister? A yes sir.
- Q Under a license? A No sir.
- Q Are you married? A No sir.
- Q You are claiming for yourself alone are you? A yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities? A No sir.
- Q Did you ever seek to become a member of the Choctaw Tribe of Indians in the Indian territory by making application to the Commission to the Five Civilized Tribes under the act of Congress of

(2).

June 10, 1896? A No sir.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory? A No sir.
- Q Is this the first application that you have ever made of any kind for identification or enrollment as a Mississippi Choctaw or as a Choctaw by blood, either to the Choctaw Tribal Authorities or the United States authorities? A Yes sir.
- Q Do you now come before this Commission for the purpose of being identified as a Mississippi Choctaw claiming your right under the provisions of Article XIV of the Treaty of 1830? A Yes sir.
- Q Do you understand article XIV of the Treaty of 1830? A Yes sir.
- Q Do you want to hear that explained again? A No sir.
- Q Do you waive the explanation of that article? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become acitizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard that read and explained and as you understand it do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A No sir.
- Q Will you give me the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What relation was she to you? A Great-grand mother.
- Q Did you ever see her? A No sir.
- Q How old would she be if she were living now? A I don't know.
- Q Where did she die? A I don't know.
- Q Do you know when? A No sir, I don't.
- Q Do you know where she lived during her life time? A No sir.
- Q Did you ever hear that she ever lived in Mississippi or Alabama in that old Choctaw nation there? A No sir.
- Q What was her maiden name? A Marra I think.

(3).

- Q Marra? A I don't know, I think so.
- Q What was her father's name if you know? A I don't know.
- Q Do you know what her mother's name was? A No, sir.
- Q Did she claim her Choctaw blood through father or mother? A I don't know.
- Q Was she married, Rachael Shelton? A She was the wife of Jesse Shelton.
- Q Was he a white man? A I think he was.
- Q You claim your Choctaw blood through Jessie S. Garland do you not your mother? A Yes sir, my mother.
- Q When was she born? A She was born February 6, 1853.
- Q Where do you know? A Clarksville, Red River County, Texas.
- Q She never was in Mississippi or Alabama to your knowledge? A Never lived there, no sir.
- Q And she claimed her Choctaw blood through which parent? A Her mother.
- Q Her mother's name was what? A Lucinda Latimer.
- Q What? A Lucinda Latimer.
- Q What is that last name? A Latimer. Lucinda Shelton was the maiden name.
- Q And Rachael Shelton was her mother? A Her mother, yes sir.
- Q Did Lucinda Latimer ever live in Mississippi or Alabama? A Not that I know of.
- Q Then you know of no ancestors who have ever lived in that old Choctaw Nation in Mississippi or Alabama? A No sir.
- Q You know of no ancestor who lived there in 1830 and was the head of a family there at that time? A No sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian Agent, Colonel Ward and tell him that they wanted to live in Mississippi and take land there and become citizens of the United States? A I don't know.
- Q Did any of them go from that old Choctaw Nation to your knowledge to this new Choctaw nation with the other Indians between 1833 and 1840? A No sir.
- Q Did any of your Choctaw ancestors claim any land under Article XIV of the treaty of 1830 or own any, or any benefits? A Not that I know of.
- Q Did they ever claim or receive any benefits under any other article, or any land under any other article of the Treaty of 1830 than article XIV or under the supplement of that treaty? A No sir.
- Q According to the provisions of Article XIV of the treaty of Dancing rabbit Creek, the United States Indian Agent, Colonel Ward, was told to make a list of the names of all of the Choctaw Indians who came before him within six months after the ratification of the treaty of 1830, for the purpose of making declarations of intentions to stay in Mississippi and take land there and become citizens of the United States. This United States Indian Agent made a list called Ward's Register, but it contains the names of only a few of the total number of Indians who did go before him at his office in Mississippi and make those declarations as required in Article XIV of that treaty. A great many Indians had taken land in Mississippi after having registered with Ward as they had a right to do, and placed improvements upon that land. Later on

(4).

the government dispossessed them because their names were not found on Ward's List, and they lost both land and improvements. This action on the part of the Government caused many complaints among the Indians so that in 1837 by an act of Congress approved March 3 of that year, Congress appointed a Commission which went to Mississippi and this Commission heard claimants under Article XIV and made lists of the names of all who came before it. In 1842 another Commission was appointed for the same purpose and this Commission went to Mississippi and heard claimants under Article XIV of the Treaty of 1830. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842 and claim benefits under article XIV of that treaty. A Not that I know of.

- Q You don't know whether any of your ancestors lived in that old Choctaw Nation in Mississippi and Alabama do you? A No sir, I don't know.
- Q The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian who lived in Mississippi went before the Commission of 1842 and proved his claim under Article XIV, if at that time it appeared that he had previously occupied land in Mississippi which the Government had taken from him that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A It's my understanding that my great-grandmother Rachael Shelton did.
- Q What do you know about that further? Anything more than a rumor in the family? A No sir.
- Q Don't know what she did with it or what became of that certificate? A No sir.
- Q Or whether she ever selected land under it? A No sir.
- Q Never heard anything about that? A No sir.
- Q Have you any documentary evidence that you want to present now in support of this claim? A No sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this claim within the near future.

Reasonable time will be allowed this applicant in which to present documentary evidence in support of this application which she makes for identification as a Mississippi Choctaw.

- Q Do you speak the Choctaw language or understand it? A No sir.
- Q Do you want to say anything more now in support of this claim? A No sir.
- Q On the 28th, 29th, 30th and 31st of October, 1901, the following named persons appeared for identification as Mississippi Choctaws before the Commission at its Office at Atoka, Indian Territory, all claiming through the same common ancestor, Rachael Shelton, Namely:

(5).

Mary L. Crook	Jesse R. Shelton	Johnnie G. Perry
Lillian Bedford	Eli J. Shelton	Marie F. Kidd
Roberta I. Coleman	E. Pearl Shelton	Clarence G. Hilburn
Jessie C. Smith	Irene Thomas	Willetta M. Murphy
John W. Crook	Florence Carson	Emma G. Stafford
Charles O. Crook	Lola A. Haraway	Melville Yates
Walter J. Crook	Idella Garland	Walter A. Jones
Stella W. Schultze	Maud M. Shipe	Verner D. Jones
Marvin B. Crook	James M. Yates	Arthur L. Jones
Maggie M. Coleman	Victor L. McGlasson	Herbert I. Jones
Texannah Jones	Cora T. Porter	Gus B. Shelton
Fannie Long	Cora E. Lindsay	Jack R. Garland
Thomas J. R. Yates	Ada Shelton	Nannie L. Garland.
Alice I. Compton	Georgia B. Porter	

- Are these all relatives of yours? A Yes sir, every one of them.
- Q And you claim through the same common ancestor too, don't you?
A Yes sir.
- Q And you want to have their testimony and the records in their cases considered with yours when yours is considered? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; medium dark complexion, gray eyes, and brown hair. She does not understand or speak the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Hal Belford
Charles Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXIE,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

U. C. R. 3913.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Joella G. Garland,

Annona, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Any Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Bixby.

Registered.

Acting Chairman.

MUR 3913

COPY.

Muskogee, Indian Territory, November 20, 1905.

Joella G. Garland,
Amona, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

You are advised that your application for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3913
For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Joella G. Garland

Age 23 - Blood Don't know.

Post Office, Annona, Texas

Father: Joe H. Garland l.

Mother: Jennie S. d.

Claims through mother

Children:

Claims for self
alone.

Stenographer

Wae Belford

Choctaw MCR 3914

Leda M. Garland

See MCR 3878

MCR 3914

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3914.

In the matter of the application of Leda M. Garland
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Leda M. Garland, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Leda M. Garland, L-e-d-a .
Q What is your age? A Twenty-one.
Q What is your post office address? A Annona, Texas.
Q What is your father's name? A Joe D. Garland.
Q He is living? A Yes sir.
Q And your mother's name is Jessie S.? A Jessie S. Garland.
Q She is not living now? A No sir, she's dead.
Q Through which of these parents do you claim Choctaw blood? A My
mother.
Q Through your mother. How much Choctaw blood do you claim? A I
don't know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw Tribe of Indians by the Choctaw Tribal author-
ities or the United States authorities in the Indian Territory?
A No sir.
Q When and where were your father and mother married? A They were
married in Clarksville, Texas, in '73, October 27, '73.
Q By a minister under a license? A Yes sir.
Q You are not married are you? A No sir.
Q You claim for yourself alone then? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Na-
tion to the Choctaw Tribal authorities in the Indian Territory?
A No sir.
Q Have you ever made application for admission as a member into the
Choctaw Tribe of Indians to the Commission to the Five Civilized
Tribes under the act of Congress of June 10, 1896? A No sir.
Q Have you ever been enrolled as a member of the Choctaw Tribe of
Indians by either the Choctaw tribal authorities, the Commission

(2).

- to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made for admission into the Choctaw Tribe of Indians to either the Choctaw tribal authorities or the United States authorities? A Yes sir.
- Q Do you now want to be identified as a Mississippi Choctaw under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes sir.
- Q Now do you understand article XIV of the Treaty of 1830? A Yes sir, I do.
- Q You have heard it read? A Yes sir.
- Q Heard it explained? A And explained.
- Q A number of times? A Yes sir.
- Q You waive further explanation? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you understand that article after having heard it read and explained do you know if any of your Choctaw ancestors ever complied or attempted to comply with any of the provisions of that article of that treaty? A No sir, I don't know.
- Q Through whom do you claim your right to now come before the Commission to make application for identification as a Mississippi Choctaw? A My great-grandmother, Rachael Shelton.
- Q Rachael Shelton, how much Choctaw blood did she have? A I don't know.
- Q How much did you ever hear that she had in the family? Rumored about in the family? A I never heard.
- Q Didn't you ever hear at all any estimate? A No sir.
- Q Did you ever hear that she lived in Mississippi or Alabama? A No sir.
- Q In that old Choctaw nation there? A No sir.
- Q Do you know what her maiden name was? A It is said to be Marrs.
- Q Marrs? A Yes sir.

(3).

- Q M-a-r-r-s ? A Yes sir.
Q Don't know her father's name? A No, sir.
Q Or her mother's name? A No sir.
Q Do you know through which parent she claimed her Choctaw blood?
A No sir.
Q Whether her parents lived in Mississippi or Alabama? A No sir, I don't know.
Q Do you know whether any of her immediate descendants lived in that old Choctaw Nation in Mississippi and Alabama? A No sir, I don't know.
Q Do you know where she was born? A No sir.
Q Nor where she died? A She is said to have died at Clarksville.
Q Texas? A At her daughter's, yes sir.
Q Do you know what year? A About, somewhere between '55 and '60, I don't know.
Q Well now do you know how old she was when she died? A No sir, I do not, but she would have been about a hundred and sixteen.
Q A hundred and sixteen now? A Now.
Q Do you know what her husband's name was? A Jesse Shelton.
Q Jesse Shelton, what was his occupation? A An Indian trader or contractor.
Q That is taking contracts from the Government to remove the Indians from that old Choctaw Nation to the new? A Yes sir.
Q Was he an Indian do you know? A No sir, I think not. A white man.
Q You claim through your mother do you not? A Yes sir.
Q Jessie S. Garland? A Yes sir.
Q You don't know how much Choctaw blood she claimed to have? A No sir.
Q Or her mother? A No sir.
Q Did she claim through her mother? A Yes sir.
Q What was her name? A Lucinda.
Q Lucinda? A Shelton.
Q Did she, your mother or her mother ever live in Mississippi or Alabama? A No sir, not that I know of.
Q Did any of your Choctaw ancestors to your knowledge live in the old Choctaw Nation in Mississippi or Alabama in 1830 and were they heads of families there at that time? A I don't know sir.
Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know.
Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 go to the United States Indian Agent, Colonel Ward, and tell him that they intended to stay in Mississippi and take land there and become citizens of the United States? A No sir.

By Attorney.

- Q You just don't know do you? A I don't know.
Q That is what you meant to answer is it? A Yes sir.

By the Commission.

- Q Did any of your Mississippi Choctaw ancestors ever go from that old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation Indian territory with the other Indians between 1833 and 1838? A I don't know.
Q Did any of your Choctaw ancestors to your knowledge own any land or claim any or any privileges or benefits whatever under Article

(4).

- XIV of the Treaty of Dancing Rabbit Creek? A No sir.
- Q You don't know? A Not to my knowledge.
- Q Did any of your Choctaw ancestors claim any benefits or any rights whatever under any other article of the Treaty of 1830 or any interest in land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that treaty? A I don't know.
- Q In 1837 a Commission was appointed by act of Congress approved March 3 of that year and in 1842 another Commission was appointed by act of Congress approved August 23 of that year. These respective Commissions went to the State of Mississippi and heard Choctaw claimants who claimed that they had taken advantage of the provisions of Article XIV of the Treaty of Dancing Rabbit Creek, and that they had notified the United States Indian Agent of that fact within six months after the ratification of the Treaty, but that their names had been left off his list called Ward's Register, and they had been dispossessed of their lands which they had a right to hold in Mississippi and Alabama in the old Choctaw Nation. Do you know whether any of your Choctaw ancestors went before either the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if a Choctaw Indian came before it, that Commission of 1842, and proved his claim, and if it was shown also that his land had been taken from him previously by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates were called scrip. Have any of your Choctaw ancestors received any such scrip from the Government of the United States as Choctaw Indians? A It is said that my great-grandmother received scrip.
- Q Well, do you know anything further about it? A No sir, I do not.
- Q Did you hear that in the family as a matter of family history and tradition? A Yes sir.
- Q Have you any documentary evidence that you want to present now in support of this application? A No sir.

Here John London, Attorney for the applicant asks leave to file written evidence in support of this application within the near future.

Reasonable time will be allowed this applicant in which to introduce proper documentary evidence in support of this application which she makes for herself for identification as a Mississippi Choctaw.

- Q On the 28, 29, 30 and 31 days of October, 1901, there appeared for identification as Mississippi Choctaws the following names people all claiming through the same common ancestor:

Mary L. Crook
Roberta I. Coleman

Lillian Bedford
Jessie C. Smith

(5).

John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Shultze
Marvin B. Crook
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland.
Nannie L. Garland
Joella G. Garland.

Maud M. Shipe
James W. Yates
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willetta M. Murphy
Emma G. Stafford
Melville Yates
Walter A. Jones
Vergar D. Jones
Arthur L. Jones
Herbert I. Jones
Gus B. Shelton
Jack R. Garland

- Q Are these all relatives of yours? A Yes sir.
Q And do you want to have their testimony and the records in their cases considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.
Q They claim through the same common ancestor that you claim through A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; medium dark complexion, blue eyes and black hair. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of Dancing Rabbit Creek.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Hal Belford
Charles Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRICKNIDGER.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3914.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Leda M. Garland,

Annona, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2978
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francois McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

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Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. E. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Bunn Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Turn Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamc Bixby.

Registered.

Acting Chairman.

MOR 3914

COPY.

Muskegee, Indian Territory, November 20, 1905.

Leda M. Garland,
Annona, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw has consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Beall*
Acting Commissioner.

No. 3914

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Leda M. Garland

Age 21

Blood Don't know.

Post Office, Anna, Texas

Father: Joe W. Garland, l

Mother: Jessie S. " d.

Claims through Mother

~~Children:~~

Claims for self
alone —

Stenographer Hal Beelford

Choctaw MCR 3915

Mary G. Grant

See MCR 3878

MCR 3915

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3915.

In the matter of the application of Mary G. Grant for
identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Mary G. Grant, being first duly sworn, upon her oath
testifies as follows:

Examination by the Commission.

- Q What is your name? A Grant.
Q Full name? A M. G. Grant.
Q What des the "M" stand for? A Mary Gertrude.
Q What is your age? A Fifty-seven.
Q What is your post office address? A Clarksville, Texas.
Q How long have you lived in Clarksville? A Well, I have lived
there-----I was born there. I have lived there all my life near-
ly.
Q Where were you born? A I was born in Lamar County.
Q In where? A In Lamar County, Texas. It was in the Territory
then you know, the Republic of Texas, which is Lamar County now,
and I lived there always excepting during my married life about
six years, but that was my home most of the time.
Q How many years now have you lived in Clarksville? A It's been
about twenty years.
Q What is your father's name? A H. R. Latimer.
Q H. R.? A Latimer.
Q L-a-t-i-m-e-r .
Q Is he living? A No.
Q What is your mother's name? A Lucinda Latimer.
Q L-u-c-i-n-d-a ? A Yes, L-a-t-i-m-e-r .
Q Is she living? A No.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a
member of the Choctaw tribe of Indians by either the Choctaw trib-
al authorities or the United States authorities in the Indian Ter-
ritory? A No.
Q When and where were your father and mother married? A They were
married in Lamar County, in '42, December.

(2).

- Q In December of '43, do you remember the day of the month? A Yes 26th.
- Q 26th of December? A 26th of December. That's the record.
- Q By a minister under a license? A Yes sir.
- Q Have you proof of their marriage with you? A No sir, only we have the record.
- Q Are you married? A Yes, I am a widow.
- Q Have you any minor children you want to make application for? A No, no minor children.
- Q You just apply for yourself do you? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal Authorities in the Indian Territory? A No sir.
- Q Did you ever make application to be enrolled as a Choctaw citizen -----A No.
- Q To the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted into the citizenship of the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No.
- Q Is this the first application that you have ever made for enrollment as a citizen of the Choctaw Nation either to the Choctaw tribal authorities or the United States authorities in the Indian Territory? A Yes.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the lands in the Choctaw Nation in the Indian Territory under Article XIV of the Treaty of Dancing Rabbit Creek? A Yes.
- Q Do you understand that article of that treaty. A Yes.
- Q Have you heard it read more than once? A Yes sir.
- Q And explained? A Yes.
- Q You waive the explanation do you? A Yes, I waive it.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw."

(3).

taw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q How as that has been read and explained to you do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions contained in that article or not? A No I do not.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q Rachael Shelton? A Yes sir.
- Q What relation was she to you? A She was my grandmother.
- Q Your grandmother? A My grandmother.
- Q Where did she die do you know? A She died with my mother in Red River County.
- Q You knew her did you? A Yes, I knew her.
- Q Well, will you please describe her as you remember her? A She was dark complected, skin was very dark.
- Q Very dark? A Yes.
- Q How were her eyes? A Well, my recollection is they were dark but not black. Her skin was dark and my recollection-----I wasn't with her a great deal, I was at school, but my recollection is that they were dark but not black.
- Q How was her hair? A It was dark.
- Q How old were you when you knew her? A I was twelve, perhaps fourteen, but when I knew her, I knew her from my childhood.
- Q Yes, up to twelve? A Up to along there yes, but I wasn't with her a great deal.
- Q Do you know whether she spoke the Choctaw language or had an Indian name or anything of that kind? A No, I never heard of it.
- Q Now did you ever know whether she lived in Mississippi or Alabama in the old Choctaw Nation? A No, I never knew.
- Q Do you know anything about her father and mother. Ever hear her say? A No.
- Q Do you know whether she or any of your Choctaw ancestors lived in Mississippi or Alabama? A No, I do not.
- Q Or lived there in 1830? A I don't know.
- Q Where was she born? A Who, Rachael.
- Q Yes. A She was born in 1781-----'85, I am mistaken.
- Q 1785? A Yes, '85.
- Q Where was she born? A I don't know.
- Q You don't remember the day of the month in 1785 do you? A Oh no.
- Q She died where? A She died in Red River County, at my fathers.
- Q At what time? A What date?
- Q What day of the month and year? A It was either '57 or '58 that she died. It was, if we mistake not, it was at that time.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent Colonel Ward that they intended to stay in Mississippi and take land there? A I don't know.
- Q Did you ever hear that any of your Choctaw ancestors went from that old Choctaw Nation to the new Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A No I don't know.
- Q Did any of your Choctaw ancestors own any land in Mississippi or claim any land under Article XIV of the Treaty of 1830? A I don't

(4).

know.

- Q Did they own or claim any land under any other article of the Treaty of 1830 than Article XIV or under the supplement of that Treaty? A I don't know.
- Q The Treaty of 1830, or as it is sometimes called, the Treaty of Dancing Rabbit Creek, was ratified on the 24th day of February, 1831, and article XIV of that Treaty which was put into the treaty for the especial benefit of the Choctaw Indians who stayed in Mississippi and Alabama-----Article XIV of that treaty provided that all Indians who claimed benefits under that article must go to the United States Indian Agent within six months from the ratification of the treaty, from February 24, 1831, and tell him that they intended to stay in Mississippi, take land there and become citizens of the United States. If they did that they would then have all the rights of Choctaw Indians if they ever afterwards went to the Choctaw Nation, Indian Territory, and a great many Choctaw Indians did this, and doing so had a right to hold land in Mississippi under that article of that treaty. Colonel Ward was required to put their names down upon his list in order that it might be known what Indians had a right to hold land in Mississippi under that article, but out of the number who went before him, thousands perhaps, he made a list called Ward's Register, which contains the names of less than one hundred heads of families. All the rest were left off; no account was taken of their applications. They afterwards selected land in Mississippi or went back to the land which they had already previously selected, but later on they were dispossessed by the Government because their names did not appear on Ward's Register. This action on the part of the Government caused so many complaints on the part of the Indians that in 1837, by act of Congress that was approved March 3 of that year, a Commission was appointed which went to the State of Mississippi and heard claimants under Article XIV of the Treaty of 1830 and made lists of the names of all who appeared before it. In 1842 another Commission was appointed by Congress and this Commission went to the State of Mississippi and heard claimants under that article of that treaty, under Article XIV of that treaty. Do you know if any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw Indians who appeared before it, that is before the Commission of 1842, had proved his claim before that Commission and if it further appeared that land had been taken from this claimant previously by the Government, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate to that effect should be given to him. These certificates were called scrip. Do you know if any of your Choctaw ancestors received any such scrip from the United States Government as Choctaw Indians? A Well, I have heard that she had the scrip.
- Q Do you know anything more about it than that it is simply a matter of rumor in the family? A No.
- Q Never have seen the record, or anyone who had seen that certificate, or where it went to or if land was selected? A No.
- Q Have you any documentary evidence you want to introduce in support of this application now? A No.

(5).

reasonable time will be allowed this applicant in which to present documentary evidence or any other proper evidence here before the Commission in support of this claim she makes for identification as a Mississippi Choctaw.

- Q On the 28, 29, 30, and 31 of October the following names persons appeared before this Commission for the purpose of being identified as Mississippi Choctaws all claiming through Rachael Shelton as a common ancestor:

Mary L. Crook	Jesse R. Shelton	Johnnie G. Berry
Lillian Befford	Eli J. Shelton	Marie F. Kidd
Roberta I. Coleman	E. Pearl Shelton	Clarence G. Hilburn
Jessie C. Smith	Irene Thomas	Willetta W. Murphy
John W. Crook	Florence Carson	Emma G. Stafford
Charles O. Crook	Lola A. Haraway	Melville Yates
Walter J. Crook	Idella Garland	Walter A. Jones
Stella W. Schultze	Maud N. Shipe	Vernor D. Jones
Marvin B. Crook	James M. Yates	Arthur L. Jones
Maggie M. Coleman	Victor L. McGlannon	Herbert I. Jones
Texannah Jones	Cora T. Porter	Gus B. Shelton
Fannie Long	Cora E. Lindsay	Jack R. Garland
Thomas J. R. Yates	Ada Shelton	Hannie L. Garland
Alice I. Compton	Georgia B. Porter	Joella Garland
		Leda M. Garland

Do you claim these people all to be relatives of yours? A Yes sir.

- Q And all claim through the same ancestor as you? A Yes sir.
Q Do you want the testimony and records in their cases to be considered when yours is considered in order that you may get the benefit of what they have testified to? A yes.
Q Do you understand or speak the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except she has medium dark complexion, black eyes, black hair. She has no knowledge of the Choctaw language and no knowledge of a compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1930

)))))))))

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Hal Belford
Clara M. Fullwood
Notary Public.

COPY:

COMMISSIONERS
HENRY L. DAWES,
TAMM BERRY,
THOMAS D. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.O.R. 3915.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 23, 1903.

Mary G. Grant,

Clarkeville, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 3925
Laura Brackeen, et al.,	M C R 3926
Willet Shannon, et al.,	M C R 3927
Malinda Malaney, et al.,	M C R 3973
Susan J. Perkins, et al.,	M C R 3829
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3831
Sallie Homer Morgan, et al.,	M C R 3832
Sallie Stanley, et al.,	M C R 3848
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W. Cross,	M C R 3855
Joel A. Shannon, et al.,	M C R 3856
Laura J. Duncan, et al.,	M C R 3849
Rosie E. Stanley, et al.,	M C R 3850
Minnie A. Adshire, et al.,	M C R 3851
Nannie F. Akers, et al.,	M C R 3852
Alice Akers, et al.,	M C R 3853
Bessie Milford, et al.,	M C R 3854
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jeunie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Leng C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C B 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmips, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alna Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alna Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, B. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Acting Chairman.

MOR 3915

COPY.

Muskogee, Indian Territory, November 20, 1905.

Mary G. Grant,
Clarksville, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Beall*
Acting Commissioner.

No. 3915

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name

Mary H. Grant

Age

57

Blood

Not known.

Post Office,

Clarksville, Texas.

Father:

H. R. Latimer, d.

Mother:

Lucinda " d

Claims through

mother.

~~Children:~~

Claims for self ^{alone} ~~and~~
~~children~~ -

W. A. Belford

Choctaw MCR 3916

Lucinda Johnson

See MCR 3878

MCR 3916

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3916.

In the matter of the application of Lucinda A. Johnson for the identification of herself and her three minor children, Roberta L., Fred M. and Lucile Johnson, as Mississippi Cheetaws.

Applicant represented by John London, Attorney.

Lucinda A. Johnson, being first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Lucinda A. Johnson.
Q Lucinda? A Yes.
Q J-e-h-n-s-o-n? A Yes sir.
Q What is your age? A Forty-three.
Q What is your post office address? A Clarksville, Texas.
Q How long have you lived in Clarksville? A I have lived there all my life.
Q Born there? A Yes sir.
Q What is your father's name? A H. R. Latimer.
Q What? A H. R. Latimer.
Q L-a-t-i-m-e-r? A Yes.
Q Is he living? A No sir, he's dead.
Q What is your mother's name? A Lucinda Latimer.
Q Is she living? A No sir, she's dead.
Q Through which parent do you claim Cheetaw blood? A My mother.
Q How much Cheetaw blood do you claim? A I don't know.
Q Has your mother ever been enrolled as a Cheetaw Indian or recognized as a member of that Tribe, either by the Cheetaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A R. M. Johnson.
Q Is he a white man? A Yes.
Q You make no claim for him? A No sir.
Q Have you any children under twenty-one years of age and unmarried that you want to make application for? A I have three.
Q What is the first one? A Roberta L. Johnson.
Q Roberta? A Yes sir.
Q Roberta L.? A Yes sir, L.

(2).

- Q How old is she? A Twenty.
- Q Next? A Fred M.
- Q Fred M.? A M.
- Q How old? A Thirteen.
- Q Next? A The other one is Lucile.
- Q Lucile? A Yes sir.
- Q How old? A She's seven.
- Q You claim for yourself and children do you? A Yes sir.
- Q Is R. W. Johnson the father of these children? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q When and where were you married to him? A We were married at Clarksville, 16th of January, 1877.
- Q By a minister under a license? A Yes sir.
- Q Were you ever married previous to your marriage to him? A No sir.
- Q Was he ever married before he married you? A No sir.
- Q Is your name or the name of any of these children on any of the tribal rolls of the Choctaw Nation in the Indian territory? A No.
- Q Did you ever make application for yourself and children to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No.
- Q Did you ever make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted with your children as members of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No.
- Q Is this the first application that you have ever made of any kind for membership in the Choctaw Nation? A It is.
- Q For your self or children either to the Choctaw tribal authorities or the United States authorities? A Yes.
- Q Do you now come before this Commission for the purpose of being identified and for the identification of your children as Mississippi Choctaws claiming an interest in the Choctaw lands in the Indian Territory under Article XIV of the Treaty of Dancing Rabbit Creek? A I do.
- Q Do you understand the provisions of that article of that treaty? A Yes sir.
- Q Have you heard it read and explained a number of times? A Yes sir.
- Q You think you thoroughly understand it? A I think I do.
- Q You waive the explanation now? A Yes sir.
- Q Article XIV of the Treaty of 1830 reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If

(3).

they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now you understand that article as it is read and explained. Do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A Why, I don't know.
- Q You never heard they did I suppose did you? A I have heard that there was scrip.
- Q Well, scrip would be issued under the Commission appointed in 1842 I am now speaking particularly about a compliance with Article XIV of the Treaty of 1830? A No.
- Q You don't know anything about that? A No.
- Q Never heard about that? A Don't know anything about that.
- Q What is the name of the ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachael Shelton.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Well, I don't know. I couldn't answer that.
- Q Do you know whether she ever lived in Mississippi in the old Choctaw Nation there? A No, I do not.
- Q Or in Alabama? A No.
- Q When and where was she born, Rachael Shelton? A She was born in 1785 but I don't know where.
- Q You don't know where? A No, we have that record.
- Q Don't know what state? A No, I don't know where.
- Q When and where did she die? A She died at my mother's house, in Clarksville, Red River County.
- Q In Texas? A Yes sir.
- Q What year? A Well, there never was any record kept of her death: it is supposed as near as we can count back, she died in '57. As near as we can recollect. That's before I was born. I was born in '58.
- Q How much Choctaw blood did she have? A I don't know.
- Q Have you heard in the family that she had any? A No I never heard it.
- Q Never heard anything about it. You claim through your mother, Lucinda Latimer, do you? A Yes sir.
- Q And her mother was whom? A Rachael Shelton.
- Q Rachael Shelton. How old would your mother be if living now? A She'd be I expect about seventy-three or four. She was born in '28.
- Q 1828? A Yes.
- Q She's be seventy-three then? A Yes sir.
- Q Where was she born? A She was born in Arkansas. It was then the Territory though.
- Q Did she or her mother Rachael Shelton have any knowledge of the Choctaw language? A No, not that I know of. I don't know.
- Q Did Rachael Shelton have an Indian name? A I don't know.
- Q Do you know of any of your Choctaw ancestors who lived in Mississippi or Alabama in 1830 and were recognized members of the

(4).

- Choctaw tribe of Indians at that time, being the heads of families there? A No sir.
- Q Did any of your Choctaw ancestors own or claim any improvements on land in Mississippi or Alabama in 1830, or any time before that? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian Territory between 1833 and 1838 with the other Indians? A I don't know that.
- Q Did any of your Choctaw ancestors within six months from the ratification of the treaty of 1830 tell the United States Indian Agent Colonel Ward that they intended to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors own or claim or receive any land in Mississippi or Alabama under Article XIV of the Treaty of 1830 do you know? A I don't know.
- Q Did any of your Choctaw ancestors own or receive or claim any land or any benefits under any other article of the Treaty of 1830 than article XIV or under the supplement of that treaty? A I don't know.
- Q This treaty of 1830 was ratified on the 24th day of February, 1831 and article XIV of that treaty which was put into the treaty for the benefit of those Indians who stayed in Mississippi provided that all Choctaw Indians who wanted to stay in Mississippi and take advantage of that article of that treaty and who wanted to take land in Mississippi must go to the United States Indian Agent within six months from the time of that ratification, and tell the United States Indian Agent so, make their declarations of intentions to stay in Mississippi and take land there and become citizens of the States. A great many did this whom Ward, who was the Agent neglected to place upon his list known as Ward's Register. That list or register contains the names of only a few of the total number of applicants who went before him within six months from the ratification of that treaty as required by that Article. This caused a great many Indians who had land in Mississippi to lose their land and improvements upon their land so that in 1837 Congress appointed a Commission which Commission went to the State of Mississippi and heard claimants under Article XIV and made a list of those claimants whose claims were proven as well as those who were not. Made a complete list of all who appeared before them. In 1842 another Commission was appointed by Congress for the same purpose and this Commission also made a list of the names of those who appeared before it claiming rights and benefits under Article XIV of the Treaty of 1830. Did any of your Choctaw ancestors go before either the Commission of 1837 or the Commission of 1842 and claim benefits under Article XIV of that treaty? A I don't know.
- Q The Act of Congress approved August 23, 1842, provided that if any Choctaw citizen came before that Commission of 1842 and proved their right under Article XIV, if it also appeared that that person had previously had land in Mississippi or Alabama and which had been taken from them by the Government that this claimant, or these claimants should receive land, be entitled to select land either in Mississippi, Alabama Louisiana or Arkansas, to be taken from vacant Government land, and that a certificate or scrip as it was called should be issued to that person or those persons to that effect. Did you ever hear that any of your Choctaw ancestors ever received any such scrip from the Government as Choctaw Indians? A I have heard that there was scrip received, yes.

(5).

- Q Who received it do you know? A My grandmother, Rachael Shelton.
Q Did you ever hear anything further than that fact? A No sir, never.
Q You don't know when it was issued or how issued, or whether land was selected or not? A No, I don't know.
Q Have you any documentary evidence you want to present now? In support of this claim? A No, sir.
Q Do you want time in which to file proof? A yes sir.

Here John London, Attorney for the applicant, asks leave to file written evidence in support of this claim within the near future.

reasonable time will be allowed this applicant in which to file documentary evidence or any other proper evidence in support of this application which she makes for herself and her children.

- Q On October 28, 29, 30, and 31, 1901, the following names persons appeared for identification at the office of the Commission at Atoka, Indian Territory, to be identified as Mississippi Choctaws claiming under the same common ancestor, Rachael Shelton, namely:

Mary L. Crook
Lillian Bedford
Robertta I. Coleman
Jessie C. Smith
John W. Crook
Charles O. Crook
Walter J. Crook
Stella W. Schultze
Marvin B. Crook,
Maggie M. Coleman
Texannah Jones
Fannie Long
Thomas J. R. Yates
Alice I. Compton
Jesse R. Shelton,
Eli J. Shelton
E. Pearl Shelton
Irene Thomas
Florence Carson
Lola A. Haraway
Idella Garland
Maud M. Shipe.

James M. Yaye
Victor L. McGlasson
Cora T. Porter
Cora E. Lindsay
Ada Shelton
Georgia B. Porter
Johnnie G. Berry
Marie F. Kidd
Clarence G. Hilburn
Willetta M. Murphy
Emma G. Stafford
Melville Yates
Walter A. Jones
Verner D. Jones
Arthur L. Jones
Herbert I. Jones
Gus B. Shelton
Jack R. Garland
Nannie L. Garland
Joella Garland
Leda M. Garland
Mary G. Grant.

- These are all relatives of yours are they not? A Yes.
Q And all claim through the same ancestor through whom you claim?
A Yes, same ancestor.
Q Do you want to have their evidence and the records in their cases considered with yours when yours is examined so that you can get the benefit of what they have testified to? A Yes.
Q Do you speak or under stand the Choctaw language? A No.

This applicant has the appearance and physical character-

(6).

istion of being descended from white parentage except that she has dark complexion, brown eyes, and dark hair. She does not understand the Cheetaw language and has no knowledge of any compliance on the part of her ancestors with any of the provisions of Article XIV of the Treaty of 1833.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Hal Belford
Constitutional
Notary Public.

COPY:

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3916.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Lucinda A. Johnson,
Clarksville, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton.	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Laura Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Naunie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie E. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Bartrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGN)

Tame Dixby.

Registered.

Acting Chairman.

MCR 3916

COPY.

Muskogee, Indian Territory, November 20, 1905.

Lucinda A. Johnson,
Clarksville, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and three minor children, Robert L., Fred M. and Lucile Johnson, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED



Acting Commissioner.

1916

For Identification as a Mississippi Choctaw.

Date

OCT 31 1901

Name Lucinda A. Johnson

Age 43

Blood don't know

Post Office, Clarksville, Miss.

Father: H. R. Latimer d.

Mother: Lucinda " d

Claims through Mother.
Husband: R. N. Johnson, w.

No claim for husband

Children:

Roberta L. Johnson, 20

Fred M. " 13

Lucile " 7

Claims for self
and children.

Stenographer

Hal Belford.

Choctaw MCR 3917

Joseph R. Johnson

See MCR 3878

MCR 3917

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, October 31, 1901.

#3917.

In the matter of the application of Joseph R. Johnson
for identification as a Mississippi Choctaw.

Applicant represented by John London, Attorney.

Joseph R. Johnson, being first duly sworn, upon his
oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Joseph R. Johnson.
Q J-o-h-n-s-o-n? A Yes sir.
Q Your age is what? A Twenty-two.
Q Your post office address is what? A Clarksville, Texas.
Q How long have you lived there? A All my life.
Q Born there? A Born there, yes sir.
Q What is your father's name? A R. H. Johnson.
Q Is he living? A Yes sir.
Q What is your mother's name? A Lucinda A. Johnson.
Q Living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Through my mother.
Q How much do you claim? A Don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities or the United States authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A They were married in '97, at Clarksville, I don't know-----I think though it was January.
Q You can get the proof of their marriage can you to file here? A Yes sir.
Q Are you married? A No sir.
Q Claim for yourself alone? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw Tribal Authorities in the Indian Territory? A I have not.
Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act

(2).

- of Congress of June 10, 1896? A No sir, I havn't.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal Authorities the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made for enrollment as a citizen of the Choctaw Nation either to the Choctaw Tribal Authorities or the United States authorities? A Yes.
- Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming an interest in the lands in the Choctaw Nation Indian Territory under Article XIV of the Treaty of 1830? A I do.
- Q Do you understand that article of that treaty of 1830? A I do. It's been read to meseveral times.
- Q You have heard it read and explained have you? A Yes sir.
- Q A number of times? A Yes sir.
- Q Wouldn't you like to have it explained further? A I don't think it's necessary. I think I understand it.
- Q You waive then the explanation do you? A I do.
- Q Article XIV of the Treaty of Dancing Rabbit Creek reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age; to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you understand that having had it read and explained do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of Article XIV of the Treaty of 1830? A I don't know whether they did or not.
- Q What is the name of the ancestor through whom you claim your Choctaw blood? A Rachael Shelton.
- Q When and where was she born? A I don't know.
- Q When and where did she die? A I don't know.
- Q Where did she live during her lifetime? A Well, I have been told she lived about High in Lamar County.

(3).

- Q Texas? A Yes sir.
- Q Do you know if she was born in Texas? A No sir, I don't know. I have heard that she wasn't.
- Q Did you ever hear where she was born? A Never heard, no sir.
- Q Did she have any Choctaw blood? A I don't know. It is said that she did.
- Q Was that a matter of history in the family? A It is, yes sir.
- Q You don't know how much? A Don't know, no sir.
- Q You claim through which parent, father or mother? A Claim through my mother.
- Q She claimed through which parent, father or mother? A She claims through her mother.
- Q What was her mother's name? A My mother's mother?
- Q Yes. A Was named Lucinda Latimer.
- Q Lucinda Latimer, and she claimed through which parent, father or mother? A She claimed through her mother.
- Q Through her mother? A Yes.
- Q And she claimed through whom? A She didn't claim.
- Q Well, she was Rachael Shelton, then. A Yes, she was Rachael Shelton.
- Q Now did any of your ancestors of these that you have named ever live in Mississippi or Alabama in that old Choctaw Nation? A I don't know.
- Q Do you know anything about when your grandmother was born or where she died? A No sir. She died at Clarksville. I don't know when she was born.
- Q Do you know the date? A No sir.
- Q Did any of your Choctaw ancestors to your knowledge live in Mississippi or Alabama in that old Choctaw Nation in 1830 and were they heads of families there at that time? A Not that I know of.
- Q Did any of your Choctaw ancestors receive or claim any land in Mississippi or Alabama under Article XIV of the Treaty of 1830? A I don't know.
- Q Did they receive any land or claim any or any benefits under any other article of the Treaty of 1830 than Article XIV or under the Supplement of that treaty? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of 1830 go to the United States Indian Agent, Colonel Ward and tell him that they intended to stay in Mississippi and take land there and become citizens of the United States? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or anytime before that? A I don't know. Did any of your Choctaw ancestors go from that old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation in the Indian Territory with the other Indians between 1833 and 1836? A I don't know.
- Q According to the provisions of Article XIV of the Treaty of Dancing Rabbit Creek the United States Indian Agent who lived in Mississippi in 1830 and 1831 was directed to make a list of the names of all Choctaw Indians who came to him within six months after the ratification of the Treaty of 1830 that is within six months from February 24, 1831, and told him that they wanted to stay in Mississippi, take land there and become citizens of the United States. This United States Indian Agent neglected to put upon his list known as Ward's Register, all the names of Choctaw Indians who came before him within six months from the ratification of that treaty of 1830. Only a small part of the total number of

(4).

persons who made such application were put upon his list, and there were some of them who selected land in Mississippi and Alabama and were living upon it and had put improvements upon that land, but afterwards the Government took it from them and sold it because their names were not on Ward's list although they had made application; it was his fault; they had made applications. This caused a great deal of distress in Mississippi and Alabama among the Choctaw Indians so that in 1837 by an act of Congress approved March 3rd of that year Congress appointed a Commission which went to the State of Mississippi and heard all claimants who desired to come before it and claim benefits under Article XIV of the Treaty of 1830. In 1842 Congress appointed another Commission to go right on with the same work; the other Commission not having taken all the names of those who desired to make application under that article, and the Commission of 1842 heard a great many claims under that article of that treaty. Do you know if any of your Choctaw ancestors appeared either before the Commission of 1837 or the Commission of 1842 and claimed benefits under Article XIV of the Treaty of Dancing Rabbit Creek? A I don't know whether they did or not.

Q The act of Congress approved August 23, 1842 provided that in the event any person appeared before that Commission of 1842 and proved his claim, and whose claims had been passed upon favorably by that Commission, if it also further appeared that this person or these persons had has their lands taken from them previously by the Government, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land and that a certificate to that effect should be issued to them. These certificates issued at that time were called scrip. Did any of your Choctaw ancestors receive any such scrip from the Government of the United States as Choctaw Indians? A I understand that my great grandmother did.

Q Rachael Shelton? A Yes sir.

Q Do you know anything further except what you have heard rumored in the family? A No sir.

Q Don't know what became of the land if selected? A No sir.

Q Or what became of that certificate? A No sir.

Q Have you any documentary evidence you want to present now in support of this application? A No sir.

reasonable time will be allowed this applicant in which to present documentary evidence in support of this application which he makes for identification as a Mississippi Choctaw.

Q On the 28, 29, 30 and 31 of October the following people appeared for identification before the Commission at Atoka, Indian Territory all claiming through the same common ancestor:

Mary L. Crook	Lillian Bedford	Roberta I. Coleman
Jessie C. Smith	John W. Crook	Charles O. Crook
Walter J. Crook	Stella W. Schultze	Marvin B. Crook
Maggie M. Coleman	Texannah Jones	Fannie Long
Thomas J. R. Yates	Alice I. Compton	Jesse B. Shelton
Eli J. Shelton	E. Pearl Shelton	Irene Thomas
Florence Carson	Lola Haraway	Idella Garland
Maud M. Shippe	James M. Yates	Victor L. McGlasson.

(5)

Cora T. Porter	Willetta M. Murphy	Gus B. Shelton
Cora E. Lindsay	Emma G. Stafford	Jack R. Garland
Ada Shelton	Melville Yates	Nannie L. Garland
Georgia B. Porter	Walter Yates	Joella G. Garland
Johnnie G. Berry	Verner D. Jones	Leda M. Garland
Marie P. Kidd	Arthur L. Jones	Mary G. Grant
Clarence G. Hilburn	Herbert I. Jones	Lucinda A. Johnson

all claiming through Rachael Shelton. Are these all relatives of yours? A They are.

Q Do you want to have the evidence and the records in their cases considered in connection with yours in order that you may get the benefit of what they have testified to? A Yes sir.

Q Do you speak or understand the Choctaw language? A No sir.

Q Is there anything more you want to say in support of this claim? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; medium dark complexion, dark brown eyes, dark brown hair. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article XIV of the Treaty of 1830.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on October 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of October, 1901.

Subscribed and sworn to before me this 9th day of January, 1902.

Hal Belford
Clarence Mitchell Wood
Notary Public.

COPY:

COMMISSIONERS
HARRY L. DAWES,
TAMS DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3917.

ADDRESSES ONLY TO:
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Joseph R. Johnson,
Clarkeville, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willettta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian B. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

Tamc Bixby.

Registered.

Acting Chairman.

MOR 3917

COPY.

Muskogee, Indian Territory, November 20, 1905.

Joseph R. Johnson,
Clarksville, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3917

For Identification as a Mississippi Choctaw.

Date OCT 31 1901

Name Joseph R. Johnson

Age, 22 Blood desc. known

Post Office, Clarksville, Texas,

Father: R. N. Johnson, l

Mother: Lucinda A. Johnson, l

Claims through mother -

~~Children:~~

Claims for self
alone.

Stenographer Hal Belford

Choctaw MCR 3918

Aurena Cobbs

MCR 3918

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.

**In the matter of the application of Aurena Cobbs, et al.,
for identification as Mississippi Choctaws, N. C. R. 2918.**

--- I N D E X ---

List of papers forwarded to the Secretary of the Interior with the
record in the above case, together with the page occupied
by each in said record.

Page.

Original application of Aurena Cobbs, et al., before the Bowie Commission for identification as Mississippi Choctaws	1
Affidavit of Julia Graham, - - - - -	11
Decision of the Commission refusing the application of Au- rena Cobbs, et al., for identification as Mississippi Choctaws	12

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Here, Mississippi, October 21, 1901.

In the matter of the application of Aurena Cebbs for the identification of herself and one minor child as Mississippi Choctaws.

Aurena Cebbs, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Aurena Cebbs.
Q How old are you? A Twenty.
Q How much Choctaw blood do you claim to have? A One half.
Q What is your post office address? A Here, Mississippi.
Q How long have you lived in Jasper county, Mississippi? A I have been living there all my life ever since I can recollect.
Q You never lived outside of Jasper county that you know of? A No sir.
Q Is your father living? A No sir, he is dead.
Q What was his name? A Ben Hen-lubbe.
Q When did he die? A I don't know sir, he died when I was not more than two or three years old.
Q You don't remember anything about him? A No sir.
Q Do you know where he lived during his lifetime? A No sir.
Q Did he have any Choctaw blood? A Yes.
Q How much? A He was all Choctaw.
Q How do you know? A Because my mother and Mr Harris said so.
Q What Mr Harris--? A Mr Rob Harris.
Q Where does Mr Rob Harris live? A He lives right down below me, not far from here.
Q Near Here? A Yes sir.
Q Is your mother living? A Yes sir, she is living at Rese Hill.
Q What is her name? A Julia Burr.
Q Has she any Choctaw blood? A No sir, none at all.
Q Was she a slave? A Yes sir.
Q Were your father and mother married? A I don't know sir, I don't think they was married, but they stayed together.
Q How long did they stay together? A Two years.
Q How do you know? A She said so.
Q What do you mean by staying together? A Lived in the house together, I reckon.
Q Do you mean they lived together as man and wife? A Yes sir.
Q You knew nothing about it whatever except what your mother told you? A No sir.
Q Did they ever have any other children besides you? A Not as I know of.
Q Has your mother any other children? A Yes sir, she has a lot more.
Q But they are not be Ben Hen-lubbe? A No sir.
Q Do you know the name of your father's father? A No sir.
Q Or your father's mother? A No sir.
Q How long did Ben and your mother live together after you were born? A I don't know, I don't recollect nothing about how long they lived together.
Q Do you know anything about your father's ancestors? A No sir.
Q Nor whether any of them ever lived in Indian Territory? A No, sir.
Q Are you married? A Yes sir.

Marena Gibbs-----2.

- Q Is your husband living? A Yes sir.
Q What is his name? A Tom Gibbs.
Q Has he any Choctaw blood? A No sir.
Q What is he? A I don't know sir---he is African.
Q You make no claim for him, then? A No sir.
Q Have you any children? A Yes sir, one.
Q What is that child's name? A Wm. McKinley Gibbs.
Q How old is he? A Eleven months old.
Q Is he the child of yourself and Tom Gibbs? A Yes sir.
Q Were you ever married more than once? A No sir.
Q This application then is for yourself and one minor child? A Yes sir.
Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A No sir, not that I know of.
Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be admitted or enrolled as a member of that tribe or did any one else ever make such an application for you? A No sir.
Q Did you or any one for you in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress approved June 10, 1896? A No sir.
Q You never then have been admitted to citizenship in the Choctaw Nation in Indian Territory by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court for the Indian Territory? A No sir.
Q Have you ever made any application of any description before today? A No sir.
Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A Yes sir.
Q Do you understand that fourteenth article? A No sir.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi between the United States government and the Choctaw tribe of Indians on the 27th day of September, 1830. At the time this treaty was made, the Choctaws lived here in Mississippi and over on the western edge of Alabama. The object of this treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi river, part of which is now occupied by the main part of the Choctaw tribe. At the time this treaty was made, some of the Indians were unwilling to remove to the new country and preferred to remain here and become citizens of the states. And for the benefit of this class of Indians who preferred to stay here the fourteenth article was put into that treaty. An article is a part or sub-division of a treaty. That fourteenth article is as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said

Amrena Gebbs-----3.

lands intending to become citizens of the states for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.* The requirements of that fourteenth article refer to Choctaw Indians who lived here at the time this treaty was made in 1830.

Q Do you understand that fourteenth article now? A Yes sir, I reckon I do.

Q Did any of your ancestors ever comply or attempt to comply with the provisions of this fourteenth article of the treaty of Dancing Rabbit Creek? A No sir.

Q Do you know anything about that now? A No sir, I don't know anything about that.

Q You don't know then whether any of your ancestors ever complied with that fourteenth article or not? A No sir.

Q Do you know any one who does know? A No sir.

Q Were any of your ancestors living here in the old Choctaw Nation in Mississippi and Alabama at the time this treaty of Dancing Rabbit Creek was made? A No sir, I don't think there is.

Q You mean you don't know whether any of your ancestors were living here in 1830 or not? A Yes sir, that is what I mean.

Q Do you know whether any of them owned any improvements here at that time? A No sir.

Q Do you know whether any of them were recognized members of the Choctaw tribe of Indians at that time? A No sir.

Q Did any of your ancestors remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A No sir.

Q So far as you knew did any of your ancestors ever receive any benefits under article fourteen of the treaty of Dancing Rabbit Creek? A No sir, not as I know of.

Q Did any of them ever receive any benefits from the government under the provisions of any other article of that treaty or under the supplement of that treaty? A No sir.

Q So far as you knew none of your ancestors have ever been recognized members of the Choctaw tribe of Indians? A No sir, I don't know.

In accordance with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, the government of the United States directed an agent here in Mississippi to register the names of such Indians as might desire to remain here and become citizens of the states and receive land under that article. The records of the government show that this agent failed to register and report to the government the names of many Choctaw Indians who did in fact signify to him their intention to remain and become citizens, and on this account the government at its public land sales here in Mississippi sold lands upon which Choctaws lived and had improvements and which they supposed they would receive from the government under article fourteen. This has caused a great deal of complaint among the Choctaws, and the matter was finally brought to the attention of Congress, and Congress passed an act which was approved on the 3rd day of March, 1837, providing for the appointment of a Commission,

Arrena Gebbs-----4.

whose duty it should be to come to Mississippi and hear cases of Choctaws who claimed that they had complied with the provisions of article fourteen, but had received no benefits thereunder. This Commission was duly appointed by the President and the Commissioners came down here to Mississippi and heard a few of these Choctaw cases but in the time allowed them by the act of Congress under which they were appointed, and a subsequent act approved February 22, 1838, providing for the continuance of this Commission, they were unable to hear but a comparatively small number of cases. And it became necessary for Congress to legislate further so that the rest of these Indians might be given hearings. And nether act was passed and approved August 23, 1842, ~~xxx~~ providing for a second Commission to come down here and finish up the work of hearing these Choctaw cases. This second Commission was duly appointed by the President and came down here and heard a great many more of these cases.

Q Did any of your ancestors appear before either of these Commissions and attempt to establish their rights under article fourteen of the treaty of Dancing Rabbit Creek. A Not as I know of.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that his land had been sold by the government, he should be entitled to select land in lieu thereof in Mississippi, Louisiana, Alabama or Arkansas, from vacant government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors ever receive any scrip from the United States government under this act of Congress? A No sir.

Q So far as you knew none of your ancestors ever received any land here in Mississippi from the government of the United States? A No sir.

Q Nor any money either? A No sir.

Q Did any of your ancestors ever own any land in Mississippi? A No sir, not as I knew of.

Q Your father never owned any, did he? A No sir.

Q And you don't know whether any of his folks did or not? A No sir.

Q Do you know any one living who would likely know whether any of your ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No sir.

Q Do you know of any written evidence which would show or tend to show that any of your ancestors ever complied or attempted to comply with any of the provisions of article fourteen or ever received any benefits thereunder? A No sir.

Q Have you any written evidence you want to offer? A Yes sir.

Affidavit of Judie Graham offered in evidence, identified as Exhibit A., filed and made a part of the record in this case.

Q This is all the written evidence you have in it? A Yes sir.

Q Any further statements you want to make? A No sir.

Q Do you want permission to file further written evidence? A Yes sir.

You will be allowed a reasonable time in which to file proper written evidence in support of your application. The Commission

Amrena Cobbs--- --5.

would be glad to have you file such evidence within thirty days if possible. If you have any witnesses they may appear before us within a reasonable time and their testimony will be taken.

- Q Have you any witnesses here today? A None by Mr Rob Harris.
Q You have no full brothers or sisters living? A No sir, not as I know of.
Q Do you know whether any of your father's brothers are living? A No sir.
Q Any of your father's sister's living? A No sir, there were some of them living.
Q Do you know their names? A One of them was named Sallie.
Q Sallie what? A Sallie Lubbe.
Q Was she a full blood Choctaw? A Yes?
Q Is she living now? A Yes she was living last time I heard from her.
Q Do you know the names of any of the members of her family? A No sir.
Q Did your father have any brothers? A No sir not that I know of.
Q Did he ever have any other sisters besides this one Sallie? A I don't know sir.
Q What is Sallie's husband's name? A She was not married last time I knew her.
Q Do you know whether she had any other name or not? A No sir.
Q You do not speak or understand the Choctaw language? A No sir.

Robert D. Harris, called as a witness on behalf of applicant, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Robert D. Harris.
Q How old are you? A Fifty years old.
Q What is your post office address? A Hero, Mississippi.
Q What is your nationality? A American--I am a white man.
Q What is your occupation? A Farming.
Q How long have you lived in Jasper county, Mississippi? A I came here in 1856.
Q Are you acquainted with this applicant, Amrena Cobbs? A Yes sir.
Q Are you interested in any way in her claim? A No sir.
Q How long have you known her? A Ever since she was born.
Q Has she always lived in this county? A Yes sir.
Q Do you know what the name of her father was? A Ben Hen-lubbe.
Q Is he living? A No sir, he is dead.
Q When did he die? A I suppose he died about seventeen years ago.
Q I don't know the date.
Q Did he have any Indian blood? A He was a full blood.
Q Choctaw? A Full blood Choctaw.
Q How long did you know him? A I knew him ever since I knewed anybody nearly---we were little boys together.
Q Did he always live in Jasper county? A Yes sir.
Q Do you know this girl's mother? A Yes sir.
Q Is she living? A Yes sir.
Q What is her name? A Judie Graham.
Q She has no Choctaw blood? A She was black woman.
Q A slave was she? A Yes sir.

Aurena Cobbs-----6.

- Q Were the mother of the applicant and her father Ben- Hen-lubbe, married? A No sir, they were not married; they just took up together.
- Q How long did they live together? A I suppose two or three years.
- Q What do you mean by saying that they took up together? A She stayed in a little house, and he was there most all the time; I suppose they lived together.
- Q Where was that? A In Jasper county about three miles from where I live.
- Q Did he have another wife at that time? A No sir.
- Q Was he ever married? A No, I don't think he was ever married at all.
- Q He didn't have a Choctaw wife, you are sure? A No sir, he didn't have any--not that I know of.
- Q Did he ever have any other children besides this one? A No sir, not that I know of.
- Q He never had any more by this same woman? A No sir.
- Q Did he generally recognize her as his wife? A No sir, I don't know that.
- Q It is not customary ~~for~~ among these Indians for them to live with negroes and maintain marital relations is it? A Some of them live with them pretty regular.
- Q You are familiar with the fourteenth article of the treaty of Dancing Rabbit Creek? A Not as familiar as I ought to be.
- Q You have heard me explain it to this woman? A Yes sir.
- Q You understand that it was made in Mississippi in 1830 between the government of the United States and the Choctaws? A Yes sir.
- Q And that this fourteenth article was put into the treaty for the benefit of those that preferred to remain here and not move west with the main body of the tribe? A Yes sir.

That fourteenth article reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so by signifying his intention to the agent within six months after the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey in like manner shall be entitled to one half that quantity for each unmarried child which is living with him ever ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said land, intending to become citizens of the states, for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you know whether any of the ancestors of this applicant ever complied or attempted to comply with the provisions of that article or ever received any benefits thereunder? A No sir, I do not.
- Q Do you know whether any of them owned any land here? A No sir, none of them owned any land here only as they bought land.
- Q Do you know the name of Ben's father? A His name was Hen-lubbe is all I knew.
- Q Do you know the name of his mother? A No sir.

Andrea Cobbs-----7.

Q Did you ever see her? A Yes sir.
Q Did you ever see Ben's father? A Yes sir.
Q They were full bloods, A Yes, both full bloods.
Q How old would Ben be if he were living now? A He would be about forty five.
Q How old do you think his father and mother would be if they were living now? A They would be pretty old--His father just died last year.
Q You are sure none of them ever got any land from the government down here? A Yes sir, I am sure they didn't.
Q Were any of them ever out in Indian Territory? A No sir.
Q Always lived here in Mississippi? A Yes sir.
Q You have heard me explain to the applicant about the two Commissions that came down here in the thirties and early forties, have you not? A Yes sir.
Q Do you know whether any of the ancestors of this applicant appeared before either of these Commissions and attempted to establish their rights under article fourteen of this treaty? A No sir.
Q And as far as you know none of them ever received any benefits as Choctaw Indians? A No sir.
Q And none of them were ever recognized members of the tribe? A No sir.
Q Are there any further statements you want to make in regard to this case? A No sir, only I was acquainted with these Indians from my earliest recollection up to their death. They are all dead. Ben had two brothers besides himself and I believe one sister. They are all dead.
Q Are any of the children of any of these brothers and sister living? A Yes sir.
Q What are the names of some of these children? A I don't know sir.
Q What makes you think this applicant is the daughter of Ben Hen-lubbe? A He was there all the time and he said it was his and her mother said so.
Q They recognized this applicant as their child? A Yes sir, he took care of it as long as he lived.
Q Did he support this child as long as he lived? A Yes sir, I think he did. He carried corn and stuff to her.
Q With whom did she live--with her mother? A Yes sir.
Q Did her mother marry again shortly after she and Ben quit living together? A Yes sir, I think she did marry again, afterwards.
Q And you are sure after she had married again, Ben contributed to the support of this child? A No sir, Ben was dead when she married the second time.

(Witness Excused)

Ben Shoemaker, called as a witness on behalf of applicant, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A Ben Shoemaker.
Q How old are you? A About forty. Here
Q Where do you live? A Jasper county, close to Indian, Miss -
issippi.
Q Are you a full blood Choctaw Indian? A Yes sir.
Q How long have you lived in Jasper county? A All my life.
Q Are you acquainted with the applicant? A No sir.
Q She is no relation to you, is she? A No.

Aurena Cobbs-----8.

- Q Are you interested in any way in the result of her case? A No.
- Q Do you know who her father was---could you swear who her father was? A They said Ben Hen-lubbe was her father, but that is all I know.
- Q Do you know he was her father? A No, I heard that.
- Q Did you know Ben Hen-lubbe? A Yes sir.
- Q How long has he been dead? A He has been dead good while.
- Q Was he a full blood? A Yes sir.
- Q Where did he live? A In Jasper county.
- Q Did you ever hear him say this was his child? A Yes, some other men told me that.
- Q Ben never told you that she was his child? A No sir.
- Q Do you know who this woman's mother is? A No sir.
- Q When did you first see this applicant? A Last spring.
- Q You never had seen her before? A No sir.
- Q When did you first hear that she was Ben Hen-lubbe's child? A Been a good while.
- Q Before you saw her? A Yes sir.
- Q Did you ever know anything about Ben living with her mother? A No sir.
- Q You don't know whether they were married--her mother and Ben--or anything about that? A No sir.
- Q You have heard me explain this fourteenth article of the treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you think you understand it? A No sir.

This treaty was made in 1830---sefenty one years ago -- between the United States government and the Choctaws. At that time, all of the Choctaws lived here in Mississippi and over on the western edge of Alabama, and the object of this treaty was to get these Indians to move out west of the Mississippi river, to a new country now occupied by the main part of the Choctaw tribe. At the time the treaty was made some of the Choctaws wanted to stay here and for their benefit the fourteenth article was put into that treaty. That fourteenth article is as follows: "Each Choctawhead of a family being desirous to remain and become a citizen of the states shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. ~~Said Persons who claim under this article shall not lose the~~ privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

That last clause means that if they ever removed from this country out west to the new country they could not have any of the annuity money--money paid annually or yearly to the Choctaws under treaty provisions.

- Q Do you think you understand that now? A No, not all of it.

Aserena Cobbs-----9.

That fourteenth article was put into the treaty for the Choctaws who wanted to stay here. It meant that in case a Choctaw wanted to stay, that within six months after this treaty was finally agreed, which was on the 24th day of February, 1831, --within six months from that time he must tell the agent of the government that he wanted to stay here and a reservation would be made for him.--a section for a head of a family, and if he had a child over ten years of age, that child would be entitled to a half section; and if he had a child under ten years of age, that child would be entitled to a quarter section. These reservations of the children must adjoin the parent's location. The reservation must include the improvement of the head of the family. If they lived on that land for the period of five years from the time the treaty was ratified he would be entitled to a patent for the land.

- Q Do you think you understand that? A Yes.
- Q Do you know whether any of the ancestors of Ben Hen-lubbe ever complied or attempted to comply with the provisions of this fourteenth article or ever received any benefits thereunder? A No sir, I don't know.
- Q Did any of his people ever own any land here in Mississippi? A No sir, I don't know.
- Q Did they ever get any money from the government? A I don't know.
- Q You know nothing about whether any of them ever got any benefits under this fourteenth article or under any other part of the treaty? A No sir, I don't know anything about it.
- Q Do you know what Ben's father's name was? A Hen-Lubbe.
- Q Did he have an English name? A I don't know.
- Q How old would he be if he were living now? A I don't know, he would be pretty old.
- Q What was Ben's mother's name? A I don't know.
- Q Do you know the names of any of Ben's grandparents? A No.
- Q Did Ben and his people always live here in Jasper county? A Yes sir.
- Q Any of his brothers living? A No sir, all of them dead--all his family died.
- Q He has no sister living? A No sir.
- Q Are any of the children of any of his brothers living? A No sir.
- Q Are any of the children of any of his sisters living? A No sir.
- Q Anything further you want to say in behalf of this applicant? A No sir.
- Q You heard me tell about these two commissions that were appointed in 1837 and 1842? A Yes sir.
- Q Do you know whether any of his ancestors went before either of these Commissions and attempted to establish their rights under article fourteen? A No sir.
- Q Did you ever hear of any of them getting any scrip from the United States government under the act of Congress of August 23, 1842? A No sir.
- Q If any of his ancestors ever received any land or money from the government you never heard of it? A No sir.

This applicant has the features and facial expression of a negro. Her hair is black, long and inclined to be straight.

Aurena Cobbs-----10.

Her complexion would indicate that she might be possessed of other blood than negro blood.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 21st day of October, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Decatur, Mississippi, this 23rd day of October, 1901.

L. B. Mosley
Clerk U.S. Circuit Court, Southern District of Mississippi

By *[Signature]* Deputy.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Aurena Cobbs, et al.,
for identification as Mississippi Choctaws, M.C.R. 3918.

-----D E C I S I O N -----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Aurena Cobbs for herself and her minor child, William McKinley Cobbs, under the following provision of the act of Congress approved June 28, 1896 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that both of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Hen-lubbs and Ben Hen-lubbs (or Henlobay), who are alleged to have been full blood Choctaw Indians and the latter of whom is alleged to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that neither of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1898 (30 Stats. 381).

It does not appear from the testimony and evidence offered in support of said application or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Hen-lubbe, or Ben Hen-lubbe (or Henlobey) signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats. 180) and August 23, 1842 (5 Stats. 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Aurena Cobbe and William McKinley Cobbe as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said

article fourteen of the treaty of eighteen hundred and thirty,
and that the application for their identification as such should
be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Tame Biacy

Acting Chairman

I. B. Needles

Commissioner

C. R. Breckinridge

Commissioner

Muskogee, Indian Territory

DEC 4 1902

COPY.

Muskogee, Indian Territory, December 4, 1902.

Hansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:-

You are hereby advised that on the 4th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Aurena Cobbs, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 496).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Aurena Cobbs and William McKinley Cobbs as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

RECEIVED

Tanne Bixby.

Acting Chairman.

COPY

Muskogee, Indian Territory, December 4, 1902.

Aurena Cobbs,

Hero, Mississippi.

Dear Madam:-

You are hereby advised that on the 4th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Aurena Cobbs, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Aurena Cobbs and William McKinley Cobbs as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the

A. C. #2.

case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Registered.

Jane Bixby.
Acting Chairman.

COPY.

Muskogee, Indian Territory, December 20, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Aurena Cobbs, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 4, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enc.

M.C.R. 3918.

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76178-1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,

February 17, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws of Aurena Cobbs, for herself and her child William McKinley Cobbs, wherein a decision adverse to the applicants was rendered by the Commission on December 4, 1902.

The evidence in this case shows that the applicants claim identification by reason of their descent from Hen-lubbee and Ben Hen-lubbee, who, it is alleged, were citizens of the Choctaw Nation and resided in Alabama or Mississippi in 1830.

The Commission makes its decision rejecting these applicants for the reason that its records do not show that Hen-lubbe or Ben Hen-lubbe, ever complied or attempted to comply with the provisions of the 14 article of

the Choctaw treaty of 1830.

A careful search of the records of this office fails to find the names of Hen-lubbee and Ben Hen-lubbee among the names of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and I have, therefore, to recommend that the application of the Commission requesting these applicants be approved.

Very respectfully,

(signed) A. C. Tenner

Acting Commissioner.

E.B.H. H'r.

3 enclosures.

D. C. 7814 1903

COPY

DEPARTMENT OF THE INTERIOR.

RAV.

ITD. 1912-1903.

WASHINGTON

March 17, 1903.

L. R. S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

December 26, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws of Aurena Cobbs and her minor child, William McKinley Cobbs, including your decision of December 4, 1902, refusing the application.

The applicants claim to be descendants of one Hen-lubbe and Ben Hen-lubbe (or Henlobbey), who are alleged to have been full blood Choctaw Indians.

The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that either of their alleged ancestors complied or attempted to comply with article 14 of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stats., 513).

Reporting February 17, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

-2-
The Department has carefully considered in the case,
and finding no reason to disturb your decision, hereby affirms
the same.

Respectfully,

1 inclosure.

(signed) THOS RYAN
Acting Secretary.

M.O.N. 3918.

COPY.

Muskogee, Indian Territory, March 27, 1903.

Aurena Cobbs,

~~Here, Mississippi.~~

Dear Madam:

You are hereby notified that on the 17th day of March 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Aurena Cobbs et al., of which decision you were advised by registered mail on the 4th day of December, 1902.

Respectfully,

(SIGNED)

Tams Dixie
Chairman.

M.C.R.3918.

COPY.

Muskogee, Indian Territory, March 27, 1903.

Mansfield, McMurray & Cernish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 15th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Aurena Cobbs, et al., of which decision you were advised by mail on the 4th day of December, 1902.

Respectfully,

Tamie Pixby.
Chairman.

#1453

3918

For Identification as a Mississippi Choctaw.

Date

10/21/01.

Name

Aurena Cobb

Age

20

Blood

1/2

Post Office,

Hero, Miss.

Father:

Ben Kithubbee

d.

Mother:

Julia Burr

L

Claims through

father

husband

Tom Cobb

L

(no daughter husband)

Children:

W^m McKinley Cobb

11 Mo.

(Claims for herself and
one minor child.)

Stenographer

A. C. Bateen

Choctaw MCR 3919

Ah-no-sa-Chubbee

MCR 3919

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Ah-no-sa-chubbee,
for identification as a Mississippi
Choctaw,-----M C R 3919.

--o--

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Ah-no-sa-chubbee for
identification as a Mississippi Choctaw, M C R 3919.

--o--

-----:I N D E X:-----

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	Page
Original application of Ah-no-sa-chubbee for identification as a Mississippi Choctaw,-----	1
Decision of the Commission identifying the above applicant,-----	7

-o-

2919

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Decatur, Mississippi, October 25, 1901.

In the matter of the application of Ah-no-sa-chubbee for identification as a Mississippi Choctaw.

Ah-no-sa-chubbee, having been first duly sworn, upon his oath testifies as follows: through Oscar Billey, official interpreter:

Examination by the Commission:

- Q What is your name? A Ah-no-sa-chubbee.
Q Have you any English name? A No, except Chubbee.
Q How old are you? A Eighty two.
Q How much Choctaw blood do you claim to have? A Full blooded Choctaw.
Q What is your post office address? A Decatur, Mississippi.
Q How long have you lived in Newton county, Mississippi. A I was born and raised in Neshoba county and came to Newton twenty years ago, and have been living here ever since.

(This applicant is extremely deaf, and our official interpreter is unable to make him understand the questions. It therefore becomes necessary to use J.P.Morris, a full blood Choctaw, for interpreter, he living in the same family as the applicant and the applicant being able to understand him fairly well.)

- Q Did you ever live in Indian Territory? A Yes, went to Oklahoma and Indian Territory.
Q When? A Been so long that I don't remember, but I was young when I went there.
Q Was it before you were a grown man or after you were grown? A A boy about twelve or thirteen years old.
Q Who took you out there? A My daddy and mother.
Q How long did you stay there? A About a month.
Q Did you come right back here to Mississippi? A Yes, came back here.
Q Were you ever in Indian Territory at any other time? A No, that is only time.
Q Did your father and mother come back here with you? A Yes.
Q Did they ever go out there again? A No.
Q Did you or they get any money from the government out there at that time? A Daddy and mother got some money.
Q When you went out there, was it when all the Indians were moving from this country out to the new country west of the Mississippi river? A Yes.
Q Was it when the government first began moving the Choctaws from this country that you and your parents went? A Yes, when they first moved.
Q What was your father's name? A On-cha-ley.
Q Was he a full blood Choctaw?

(Every effort on the part of the interpreter, J.P.Morris, to make the witness understand this question has failed. He can not hear and depends entirely upon the motion of the interpreter's lips, and further efforts to hear his testimony would be useless. The application in his behalf will therefore be made by his daughter, Letitia Wallace. The applicant has every appearance and characteristic of a full blood Indian. He speaks the Choctaw language, and no English. He has the appearance of being fully as old as is claimed by him.)

Ah-no-sa-chubbee-----2.

Letitia Wallace, a full blood Choctaw Indian, having been first duly sworn, testifies as follows in behalf of her father, Ah-no-sa-chubbee, through Oscar Billey, official interpreter:

Examination by the Commission:

- Q You are a daughter of the applicant, Ah-no-sa-chubbee? A Yes.
Q What is your name? A Letitia Wallace.
Q Was your father's father a full blood Choctaw Indian? A Yes.
Q Did you ever see him? A No.
Q When did he die? A Dont remember, never did see him.
Q Do you know how old he would be if he were living now? A Don't know.
Q Did he have any English name? A Don't know.
Q What was the name of your father's father? A Don't know and my father does not know.
Q How long has she been dead? A I don't know, I never did see her.
Q You have no idea then how old she would be if she were living now?
A No.
Q Is your father's wife living? A No, dead.
Q Was he ever married more than once? A Just once.
Q Has he any children living under twenty one years of age and unmarried?
A No.
Q This application then is for him only? A Yes.
Q Is his name to be found upon any of the Choctaw tribal rolls in Indian Territory? A Don't know.
Q Did he ever make application to the Choctaw tribal authorities in Indian Territory to be admitted or enrolled as a member of that tribe? A No, don't know.
Q Did he in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress approved June 10, 1896? A Don't know.
Q Has he ever been admitted to citizenship in the Choctaw Nation, Indian Territory by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court for the Indian Territory?
A Don't know.
Q Did he ever make any application prior to this time? A I believe put in claim at court house here four or five years ago.

The records of the Commission show that Ah-no-sa-chubbee appeared before the Commission to the Five Civilized Tribes, at Decatur, Mississippi, February 8, 1899, and there made application for identification as a Mississippi Choctaw, his name appearing upon Mississippi Choctaw Card field No.470, also upon page 99 of the schedule which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi and claiming rights in the Choctaw lands under the provisions of article fourteen of the treaty of Dancing Rabbit Creek, being roll No.1711 thereon.

- Q This application about three years ago is the only application of any kind your father ever made, is it? A Yes.
Q Do you appear before the Commission at this time for the purpose of making application for the identification of your father, Ah-no-sa-chubbee as a Mississippi Choctaw, entitled to the rights in the Choctaw lands in Indian Territory under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A Yes.
Q Do you understand the fourteenth article of the treaty of Dancing Rabbit Creek? A No.

Ah-no-sa-chabbee-----3.

The treaty of Dancing Rabbit Creek was entered into here in the state of Mississippi on the 27th day of September, 1830, between the United States government and the Choctaw tribe of Indians. At the time this treaty was made, the Choctaws lived here in Mississippi and along the western edge of Alabama. The object of this treaty was to secure the removal of these Indians from the territory occupied by them here in Mississippi to a new country west of the Mississippi river, a portion of which is now occupied by the main portion of the Choctaw tribe of Indians. At the time this treaty was made, some of the Choctaws were unwilling to leave this country but preferred to remain here and become citizens of the states, and for the benefit of those that preferred to remain here and become citizens of the states the fourteenth article was put into the treaty. That fourteenth article is as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you think you understand that fourteenth article now? A Yes.

Q You understand of course that its requirements refer to the Choctaws who lived here in Mississippi in 1830 when the treaty was made---over seventy one years ago? A Yes.

Q Did any of your father's ancestors ever comply or attempt to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A Don't know.

Q Were any of the ancestors of your father living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when this treaty was made or was he living here himself at that time? A Don't know.

Q Did he or any of his ancestors own any improvements here at that time? A If they did, I don't know it.

Q Was he ever a recognized member of the Choctaw tribe at that time or were any of his ancestors recognized members of the tribe at that time? A Don't know.

Q Do you know whether your father or any of his ancestors removed from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the great portion of the Choctaw tribe of Indians between the years 1833 and 1838? A I don't know.

In accordance with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, the government of the United States directed an agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain here

Ah-no-sa-chubbee-----4.

and become citizens of the states. The records of the government show that this agent failed to register and report to the government the names of many Indians who did in fact signify to him their intention to remain and become citizens under article fourteen. On this account, the government at its public land sales here in Mississippi in many instances sold land upon which Choctaws lived and had improvements and which they supposed they would receive from the government under the provisions of article fourteen of the treaty of Dancing Rabbit Creek. This caused a great deal of complaint among the Indians and the matter was

finally brought to the attention of Congress, and Congress passed an act which was approved on the 3rd day of March, 1837, providing for the appointment of a Commission whose duty it should be to come down here to Mississippi and hear the cases of Choctaws who claimed they had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that their land had been sold by the government. The Commission was duly appointed by the President and the Commissioners came down here to Mississippi and heard a few of these Choctaw cases, but in the time allowed them, by the act of Congress under which they were appointed and a subsequent act approved February 22, 1838, they were unable to dispose of but a comparatively small number of these cases. It therefore became necessary for Congress to make further provision whereby the remainder of these Indians might be heard; and another act of Congress was passed, which was approved on the 23rd day of August, 1842, providing for another Commission to come down here and finish up hearing these cases. This Commission was duly appointed by the President and the Commissioners came down here and heard a great many more of these cases.

Q Did any of the ancestors of your father appear before either of these Commissions and attempt to ~~make~~ establish their rights under article fourteen of the treaty of Dancing Rabbit Creek? A Don't know.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that his land had been sold by the government, he should be entitled to select in lieu thereof land elsewhere in Mississippi or in Louisiana, Alabama or Arkansas from vacant government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ~~xx~~ father's ancestors ever receive any of this scrip from the United States government? A Don't know.

Q Did you ever hear of any of your father's ancestors ever having received any land here in Mississippi from the government of the United States or of your father having received any? A No sir.

Q Did your father ever have any brothers? A Yes had brothers, all dead.

Q Do you know the name of any one of them? A One named John.

Q Did he have a Choctaw name? A Sock-tubbee.

Q Did your father ever have any sisters? A Just know one.

Q What was her name? A Emily.

Q What was her Choctaw name? A That was Choctaw name; that is all name she had.

Q Did he ever have any other sisters? A That is all I know.

Ah-n-sa-chubbee-----5.

Q Do you know whether any of your father's brothers or sisters ever got any land from the government here in Mississippi? A Don't know.

Q Did you ever hear of your father or any of his ancestors ever receiving any money from the government? A No.

Q Have you any written evidence you want to offer at this time in support of this application? A No sir.

Q Do you know of any one living who would likely know whether any of your father's ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No, all dead that would know.

Q Is there anything further you want to say in support of this application? A No.

Q Are there any witnesses here that you want to introduce in support of your father's application? A No.

Q So far as you know were any of the ancestors of your father ever recognized members of the Choctaw tribe of Indians? A No.

Q Or did any of them ever receive any benefits as such? A No.

Q Do you want permission to offer written evidence at a later date? A No.

Q Did you ever see or hear of any deed or patent issued by the United States government to your father or any of his ancestors covering land here in Mississippi? A No.

You will be allowed a reasonable time in which to offer proper written evidence in this case if you should see fit to do so. The Commission would be glad however to have you offer this evidence within a period of thirty days from this date. If you should discover any witnesses whose testimony you desire to have taken in support of this application, they may appear before the Commission at any of its appointments in Mississippi during this fall, or may appear before the Commission at its office on Muskogee, Indian Territory, and their testimony will be taken.

Q Has your father any other children living besides yourself? A No, I am only one.

Q Did you ever have any brothers? A No.

Q Or any sisters? A No.

Q Are any of the children of any of your father's brothers or sisters living? A Yes, one living.

Q What is that person's name? A Lewis John.

Q Where does he live? A He lives here in Newton county.

Q About how old is he? A Don't know how old he is, but he is married.

Q Has he been before the Commission? A Yes.

Q What is his wife's name? A Don't know.

Q Are they both full blood Choctaws? A Yes.

Q Have they any children? A One.

Q Is he the son of one of your father's sisters or one of your father's brothers? A My father's brother's son.

Q What was your father's brother's name--the father of this child? A That was John or Sock-tubbee.

Q That is the only one of the children of any of your father's brothers or sisters that is living? A That is all.

This witness is to all appearances a full blood Indian. She speaks and understand the Choctaw language, but no English.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he

reported in full all proceedings had in the above entitled cause on the 15th day of October, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. C. Rusten

Clerk U.S.Circuit Court, Sou-
thern District of Mississ-
ippi

y *Chadwick*

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Ah-no-sa-chubbee for identification as a Mississippi Choctaw, M C R 3919.

-----: D E C I S I O N :-----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on October 25, 1901, by Ah-no-sa-chubbee, for himself, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.

From the evidence submitted in support of said application it appears that the applicant is a full-blood Mississippi Choctaw Indian.



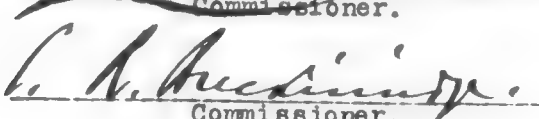
Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of

any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full-blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Ah-no-sa-chubbee should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE ~~THE~~ CIVILIZED TRIBES.


Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

FEB 14 1903

COPY.

M.C.R. 3919

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Ah-no-sa-chubbee as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Ah-no-sa-chubbee as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully, (SIGNED).

Registered.

Enc. MT. 67

Tame Biche.
Chairman.

COPY.

M.C.R. 3919.

Muskogee, Indian Territory, March 11, 1903.

Ah-no-ss-chubbee,

Decatur, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself as a Mississippi Choctaw Indian under the provisions of section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Jams Bixby.

(SIGNED)

Chairman.

Registered.

Enc. M.C.R. 3919.

May 14, 1903.

Indian Territory.

You will please deliver to J. C. Hall, of Atoka, Indian Territory, any copies of the Record in my name that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES:

J. C. Hall

Ah-us-va-chubbee ^{his} _{mark}

For Identification as a Mississippi Choctaw.

Decatur, Miss. Date OCT 25 1901

Name Ah-no-sa-chubbee

Age 82

Blood full

Post Office, Decatur, Miss

Father: On-cha-ley

Mother: dont know.

Claims through both parents

(Claims for himself only.)

Children:

(See Miss. Choct. card filed
No. 470. Appearance 7/8/99.)

Stenographer

H. C. Ritten

schedule No. 145-4

ALH. NO-SAN CHABEE

P. 3919

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

141/03. P.C. And.

Choctaw MCR 3920

Lena Jack

MCR 3920

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Lena Jack,
et al., for identification as Miss-
issippi Choctaws --

M C R 3920.

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Lena Jack, et al.,
for identification as Mississippi Choctaws, M C R 3920.

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-----: I N D E X :-----

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-o-

3920

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Decatur, Mississippi, October 25th, 1901.

In the matter of the application of Lena Jack for the identification of herself and one minor child as Mississippi Choctaws.

Said Lena Jack, Being first duly sworn, testified as follows. (Oscar Billey, Official Interpreter).

Examination by the Commission.

- Q What is your name? A Lena Jack.
Q How old are you? A Sixteen.
Q How much Choctaw blood do you claim to have? A Full blood.
Q How long have you lived in the State of Mississippi? A All my life.
Q What is your postoffice address? A Conehatta, Mississippi.
Q Is your father living? A Yes.
Q What is his name? A Tecumseh Jackson.
Q Is he a full blood Choctaw? A Yes.
Q Is your mother living? A No.
Q What was her name? A I don't know.
Q Did she die when you were just a little baby? A Yes.
Q Was she a full blood Choctaw? A Yes sir.
Q Did your father and mother always live in Mississippi? A Yes.
Q Were either of them ever in Indian Territory? A No.
Q Are you married? A Yes.
Q Is your husband living? A Yes.
Q Are you living with him? A No.
Q Were you ever married more than once? A No, thats all.
Q When were you married? A Two years ago.
Q Were you married under a license or according to Choctaw custom? A License.
Q Where was your license procured? A Decatur, Mississippi.
Q Were you separated from your husband by divorce or did you just quit living together? A Just separated.
Q How long have you been separated? A About a year.
Q Has he married again? A No.
Q What is his name? A Tom Jack.
Q What is his father's name? A Don't know.
Q Is it Elder Jackson? A No, Nicholas Jack.
Q What was Tom's mother's name? A I don't know.
Q Was Tom Jack's mother's name Sarah? A Yes, Elder Jackson is my husband's step father.

The husband of this applicant is identified as Tom Jack who appeared before the Commission on May 15th, 1901, and made application for identification as a Mississippi Choctaw, his name appearing on M.C.R. Card 2289, also upon M.C.C. Field No. 492 as Tom Jackson.

- Q Have you any children? A Yes.
Q How many? A One.
Q What is that child's name? A Sarah Jane Jack.
Q How old is Sarah Jane Jack? A Born February 12th, 1901.
Q This is the only child you have, is it? A Yes.
Q Is she the child of yourself and Tom Jack? A Yes.

Lena Jack et al---2

Q This application then is for yourself and one minor child, is it?
A Yes.

Q Have you ever been in Indian Territory? A No.

Q Is your name to be found upon any of the Choctaw Tribal rolls in Indian Territory? A No.

Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw Tribe of Indians in Indian Territory? A No.

Q Did you ever make application to the Choctaw Tribal authorities in Indian Territory to be admitted or enrolled as a member of the Tribe or did anyone else ever make such an application for you?
A Don't know.

Q Did you or did anyone for you in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896?
A I don't know, sir.

Q Have you ever made any application of any description prior to this time or has anyone else ever made such an application for you?
A I don't know.

Q Didn't your father make application for you in February 1899 at Decatur? A Yes, I reckon he did; he went to Decatur.

The records of the Commission show that application was made to the Commission on February 6th, 1899, for the identification of this applicant as a Mississippi Choctaw, her name appearing on M.C.C. Field No. 356 as Lena Jackson, also upon page 83 of the schedule of Mississippi Choctaws annexed to the report of the Commission to the Five Civilized Tribes to the Secretary of the Interior of March 10, 1899, as to the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of article 14 of the treaty of Dancing Rabbit Creek, being No. 1266 thereon.

Q Is this application made in 1899 the only application of any description that has ever been made for you? A Yes.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article 14 of the treaty of Dancing Rabbit Creek for yourself and minor child? A Yes.

Q Do you understand the 14th article of the treaty of Dancing Rabbit Creek? A Yes.

Q You heard it explained here before the Commission this afternoon?
A Yes.

Q Did any of your ancestors or any of your husband's ancestors ever comply or attempt to comply with the provisions of the 14th article? A Don't know.

Q Were any of your ancestors or any of your husband's ancestors living in the old Choctaw Nation here in Mississippi and Alabama in the year 1830 when this treaty was made? A I don't know.

Q Did any of your ancestors or any of your husband's ancestors own an improvement here in the old Choctaw Nation at that time? A I don't know.

Q Were any of your ancestors or any of your husband's ancestors recognized members of the Choctaw Tribe here at that time? A I don't know.

Q Did any of your ancestors or any of your husband's ancestors ever receive any benefits under this 14th article? A I don't know.

Lena Jack et al---3

Q Were any of your ancestors or any of your husband's ancestors ever in the Choctaw Nation in Indian Territory? A No.

Q Did any of your ancestors or any of your husband's ancestors ever claim or receive any land here in Mississippi from the Government of the United States under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

Q Did any of your ancestors or any of your husband's ancestors ever claim or receive any land here in Mississippi from the Government of the United States under the provisions of any other article of the treaty of Dancing Rabbit Creek than article 14 or under the supplement to that treaty? A I don't know.

In accordance with the provisions of article 14 of the treaty of Dancing Rabbit Creek the Government of the United States directed an Agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain and become citizens of the States under that article. The records of the Government show that that Agent failed to record and report to the Government the names of many Choctaws who did in fact signify to him their intention to remain here and become citizens of the States, and, on this account, the Government at its public land sales in many instances sold land upon which Choctaws lived and had improvements and which they supposed they would receive under the provisions of article 14 of the treaty of Dancing Rabbit Creek. This caused a great deal of complaint among the Indians and the matter was finally brought to the attention of Congress and Congress passed an act, which was approved on the 3rd day of March 1837, providing for the appointment of a Commission whose duty it was to come down here to Mississippi and hear the cases of Choctaw Indians who claimed that they had complied with all the requirements of the 14th article of the treaty of Dancing Rabbit Creek but that their land had been sold by the Government. This Commission was duly appointed by the President and the Commissioners came down here to Mississippi and heard a few of these Choctaw cases but in the time allowed by this act of Congress and a later act of Congress, approved February 22nd, 1838, they were unable to dispose of but a comparatively small number of them and it therefore became necessary for Congress to make further provision so that the remainder of these Indians might be given hearings. Another act of Congress was passed, which was approved on the 23rd day of August, 1842, providing for the appointment of another Commission to come down here and finish up this work. This second Commission was appointed by the President and the Commissioners came down here and heard a great many more of these Choctaw cases.

Q Did any of your ancestors or any of your husband's ancestors appear before either one of these Commissions and attempt to establish their rights under article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of

Lena Jack et al---4

article 14 of the treaty of Dancing Rabbit Creek but that his land had been sold by the Government he should be entitled to select land elsewhere in Mississippi, Alabama, Arkansas or Louisiana, from vacant Government land and he should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors or any of your husband's ancestors ever receive any of this scrip from the United States Government?
A I don't know.

Q So far as you know, did any of your ancestors or any of your husband's ancestors ever receive any benefits as Choctaw Indians from the United States Government? A I don't know.

Q Were any of them ever recognized members of the Choctaw Tribe of Indians? A I don't know.

Q Do you know of any old person living who would likely know whether any of your ancestors or any of your husband's ancestors ever complied or attempted to comply with the provisions of article 14 of the Treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A I don't know.

Q Did you ever see or hear of any deed or patent or other instrument which would show or tend to show whether any of your ancestors or any of your husband's ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A I don't know.

Q You never heard of any of your ancestors or any of your husband's ancestors ever getting any land from the Government here in Mississippi, then? A No.

Q Or of any of them ever receiving any money from the Government?
A Don't know.

Q Have you any witnesses here today whom you want to have testify in your case? A No.

Q Have you any written evidence of any kind that you want to offer?
A No.

Q Do you want to offer written evidence later? A No.

Q Are there any further statements you want to make in support of this application? A No.

Q Have you any brothers living? A Three.

Q What are their names? A Jim Hammond.

Q How old is he? A About twenty years old.

Q Is he married? A Single.

Q Where does he live? A Conehatta.

Q Have you another brother? A Walter.

Q Any other brothers? A Fattie.

Q How old is Fattie? A I don't know.

Q About how old? A About eighteen.

Q About how old is Walter? A I don't know.

Q Older than you or younger than you? A Younger.

Q Have you any sisters living? A No sir.

Q Have you any half sisters living? A No.

Q Any half brothers living? A Yes, one.

Q What is his name? A McElroy.

Q Have you any half sisters? A Salina.

Q Is that all? A Winnie.

Q How old is Winnie? A Two years old.

Q Is that all your half brothers and sisters? A Yes, that is all.

Q Are any of your father's brothers living? A No.

Lena Jack et al---5

- Q Did he ever have any brothers? A No.
Q Did your father ever have any sisters? A I don't know.
Q Never heard of his having any? A Had one but she is dead.
Q Do you know her name? A No.
Q Are any of her children living? A No.
Q Did your mother ever have any brothers? A Yes.
Q How many? A Three.
Q What are their names? A Aben Wallace.
Q Next one? A William Wallace.
Q Next one? A Wes Wallace.
Q Is that all? A Yes.
Q Are they all living? A Yes.
Q Where do they live? A North of Decatur, in Newton County.
Q Have they all been before the Commission? A Two of them have and Wes is here today.
Q Did your mother ever have any other brothers? A No.
Q Did your mother ever have any sisters? A Yes.
Q How many? A Three.
Q Are any of them living? A Yes, only one dead.
Q One dead and three living? A No, three dead and three living.
Q What are the names of those who are dead? A Lizzie, Leanna, Nancy.
Q Did any of them leave families? A No.
Q What are the names of your mother's sisters who are living?
A Maggie.
Q Maggie what? A Maggie Wallace.
Q Is she married? A Yes sir.
Q What is her husband's name? A Billy Boley.
Q Is he a full blood Choctaw? A Yes.
Q Has he been before the Commission? A No.
Q Where does he live? A Conehatta.
Q Have they any children? A Yes.
Q How many? A Five.
Q Do you know their names? A Sampson, Sammy, Jimmie, Freeman and Dennis.
Q Has she ever been married more than once? A No, that is all.
Q What is the name of another one of your mother's sisters? A Lona Wallace.
Q Is she married? A Yes.
Q What is her husband's name? A Jim Flamus.
Q Has she been married more than once? A No, just once.
Q Where does Jim Flamus live? A Close to Conehatta.
Q Has he been before the Commission? A Yes.
Q Are Jim and Lona living together? A Yes.
Q Have they any children? A No.
Q What is the name of another one of your mother's sisters? A Bicey Wallace.
Q Is she married? A Yes.
Q What is her husband's name? A J.P. Morris.
Q Are they living together? A Yes.
Q Has she been married more than once? A No, just once.
Q Is J.P. a full blood Choctaw? A Yes.
Q Has he been before the Commission? A Yes.
Q Have they any children? A No.
✓ Q Do you know the name of any of your grandparents? A John Wallace.
✓ Q Who is he? A My mother's father.

Lena Jack et al---6

- Q Is he living? A Yes.
Q Where does he live? A North of Decatur.
Q In Newton County? A Yes.
Q Has he been before the Commission? A I don't know.
Q Has he a Choctaw name? A I don't know.
✓ Q Is your mother's mother living? A No.
✓ Q What was her name? A Sarah.
Q Was she a full blood? A Yes.
Q How old is John Wallace? A I don't know.
Q About how old? A About sixty.
Q Do you know the name of your father's father? A I don't know.
Q Do you know the name of your father's mother? A Becky.
Q Is she living? A Yes.
Q Becky what? A That is all I ever heard.
Q Is she married again? A No, her first husband is dead and she hasn't married again.
Q Has she been before the Commission? A No.
Q Where does she live? A Conehatta.
Q How old is she? A I don't know; she is old, though.
Q Do you know the names of any of your ancestors further back than your grandparents? A I don't know.
Q Did all of your ancestors always live in Mississippi? A Yes.
Q Are there any further statements you want to make? A No.

You will be allowed a reasonable time in which to offer proper written evidence in support of this application. The Commission would be glad, if you decide to offer written evidence, to have you offer it within a period of thirty days from this date of possible. If you should discover any witnesses whose testimony you desire to have taken before this Commission they may appear before us at one of the appointments of the Commission here in Mississippi this Fall or at the office of the Commission in Muskogee, Indian Territory, and their testimony will be taken.

This applicant has every appearance and characteristic of a full blood Indian. She speaks and understands the Choctaw language and no English, the examination having been conducted through a sworn Choctaw interpreter.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Decatur, Mississippi, October 25th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 25th day of October, 1901, at Decatur, Mississippi.

6

Ira S. Niles
L. D. Mosley
Clerk U.S. Circuit Court, Southern
District of Mississippi.

By *Mack*

Deputy.

Cover

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Lena Jack, et al., for identification as Mississippi Choctaws, M C R 3920.

-----: D E C I S I O N :-----

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on October 25, 1901, by Lena Jack, for herself, and her minor child, Sarah Jane Jack, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the applicants are full-blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 26, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of

(2)

any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Lena Jack and Sarah Jane Jack should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.

C. R. R. 
Commissioner.

Muskogee, Indian Territory,

APR 27 1903

M.C.R. 3020

COPY.

Waskagee, Indian Territory, April 27, 1903.

Hansfield, McMurray and Cernish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Lena Jack and minor child, Sarah Jane Jack as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Lena Jack and child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tamr Bixby.

Chairman.

Registered
Enc. 1922.

COPY.

M C R 3520

Muskogee, Indian Territory, May 5, 1903.

Lena Jack,

Osagehatche, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself and minor child, Sarah Jane Jack, as Mississippi Choctaw Indians under the provisions of section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tamr Bixby.
Chairman.

Registered.

Enc. 3520.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE
Ident. Person
Application for Enrollment of

INFANT CHILD

Sarah Jane Jack
IN RE

MISSISSIPPI CHOCTAW.

Nation.

Approved,

190

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

Commissioner.

See Miss Choctaw Card, Field No 356

The within application is accepted as proof of the birth of the within named child, and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws, but is not to be considered as an application for its enrollment as a citizen of the Choctaw Nation.

[Signature]
Acting Chairman.

MISSISSIPPI CHOCTAW, #386

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 11 1901

[Signature]
ACTING CHAIRMAN.

3920

See Miss. Chocans file No. 356.
FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for ^{identification as a Mississippi Choctaw} ~~birth record, name of the~~ ^{Nation.}
of Sarah Jane Jack (Here insert name of child) , born on the 12 day of February, 1901
Name of Father: Tom Jack , a full blood Choctaw ^{Nation.}
Name of Mother: Lena , a full blood Choctaw ^{Nation.}

Note: Parents of this child are now separated. Child lives with its mother. Post-office, Longhatta, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
State of Mississippi ^{Indian Territory} District. }
County of Newton

I, Lena Jack , on oath state that I am 16
years of age and a citizen, by full blood Choctaw, of the Choctaw Nation;
that I am the lawful wife of Tom Jack , who is a citizen, by
full blood, of the Choctaw Nation, that a female child was
(male or female.)
born to me on the 12 day of February, 1901; that said child has been
named Sarah Jane Jack and is now living.

WITNESSES TO MARK } Lena X Jack
(Must be Two) } Guy L. V. Emerson
Witnesses } R. S. Strait

Subscribed and sworn to before me this 25 day of October, 1901.

L. B. Mosley, Clerk
U. S. Circuit Court, S. D. of Mississippi
By J. M. M. D.C. NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
State of Mississippi ^{Indian Territory} District. }
County of Newton

I, Sophia Jackson , a midwife , on oath state that I
attended on Mrs. Lena Jack , wife of Tom Jack ,
on the 12 day of February, 1901; that there was born to her on
said date a female child; that said child is now living and is said to have been
named Sarah Jane Jack (male or female.)

WITNESSES TO MARK: } Sophia X Jackson
(Must be Two) } Guy L. V. Emerson
Witnesses } Harry C. Ristie

Subscribed and sworn to before me this 5 day of November, 1901.

L. B. Mosley, Clerk
U. S. Circuit Court, S. D. of Mississippi
By J. M. M. D.C. NOTARY PUBLIC.

#1455

No.

31 10

For Identification as a Mississippi Choctaw.

Decatur, Miss Date OCT 25 1901

Name Lena Jack

Age 16 Blood full

Post Office, Conehatta, Miss

Father: Tecumseh Jackson. ✓ S

Mother: don't know d.

Claims through both parents
husband Tom Jack (full b.) S

(Applicant is separated from her husband
his name appears on MCH card 2289
also on M. C. card filed No 492 as Tom
Jackson)

Children:

Sarah Jane Jack 8 mo.

(See Miss. Choct. card filed
No 356; Ad thereon. Appearance
2/6/99.)

Claims for herself and
one minor child.)

Stenographer

J. H. Miller.

Lena Inc. at 11

II

13.5.

Choctaw MCR 3921

Wesley Wallace

MCR 3921

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Wesley Wallace ,
et al., for identification as Mississippi
Choctaws, ---- M C R 3921.

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Wesley Wallace, et al.,
for identification as Mississippi Choctaws, M C R3921.

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-----: I N D E X :-----

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Original application of Wesley Wallace, et al., for identification as Mississippi Choctaws,-----	Page. 1
Decision of the Commission identifying the above applicants,-----	10

-o-

3921

Department of the Interior,
Commission to the Five Civilized Tribes,
Decatur, Mississippi, October 26, 1901.

In the matter of the application of Wesley Wallace for the identification of himself, his wife, one minor step child, and two minor children as Mississippi Choctaws.

Wesley Wallace, having been first duly sworn, upon his oath testified as follows: (Oscar Billey, official interpreter.)

Examination by the Commission.

- Q What is your name? A Wesley Wallace.
- ✓ Q How much Choctaw blood do you claim to have? A Full blood.
- Q How old are you? A Twenty seven.
- Q What is your post office address? A Decatur, Mississippi.
- Q Have you an Indian name? A No.
- Q How long have you lived in Newton County? A All my life.
- Q Never lived in Indian Territory? A No.
- ✓ Q Is your father living? A Yes sir.
- ✓ Q What is his name? A John Wallace.
- Q About how old is he? A I think he about 55 or 56 years old.
- Q Has he always lived in Mississippi? A Yes sir; he live here all the time.
- Q Was he ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians in Indian Territory? A I don't know.
- ✓ Q Is your mother living? A Died.
- ✓ Q What was her name? A Sarah.
- ✓ Q Was she a full blood Choctaw? A Yes sir.
- ✓ Q And your father is a full blood? A Yes sir.
- Q How old would your mother be if she were living? A I don't know.
- Q Would she be as old as your father? A Yes.
- Q About the same age? A About the same age I expect.
- Q Did she always live in Mississippi? A Yes.
- Q When did she die? A Two years I believe.
- ✓ Q She never lived in Indian Territory? A Yes, they been to Territory.
- Q How long did she stay there? A About a month, I believe.
- Q With the exception of that time, has she always lived in Mississippi? A Yes sir, I expect, except that month.
- Q Was she ever recognized in any manner or enrolled as a member of the Choctaw tribe in Indian Territory? A I don't know.
- Q Are you married? A Yes sir.
- ✓ Q Is your wife living? A Yes sir.
- ✓ Q What is her name? A Letitia.
- ✓ Q Is she a full blood? A Yes sir.
- Q Do you want to make application for her? A Yes sir.
- Q How old is she? A About 32 I reckon.
- Q Are you living together now? A Yes sir.
- Q Were you married under a license or according to the Choctaw custom? A Just Choctaw custom.
- Q How long have you been living together? A Going on five years, I believe.
- Q Has she always lived in Mississippi? A Yes sir.
- ✓ Q Is her father living? A Yes, old Chubbee.
- Q What is his name? A Ah-no-sa-chubbee.

Wesley Wallace, et al., 2.

- ✓ Q Is he a full blood Choctaw? A Yes.
- Q Has he always lived in Mississippi? A Yes sir.
- Q Was he ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians in Indian Territory? A No, I don't know.
- ✓ Q Is your wife's mother living? A No, she died.
- ✓ Q What was her name? A I don't know.
- ✓ Q Was she a full blood Choctaw? A Yes sir.
- Q Did she always live in Mississippi? A Yes sir.
- Q Was she ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians in Indian Territory by the Choctaw tribal authorities or the United States authorities? A I don't know.
- Q When did she die? A I don't know.
- ✓ Q Have you any children for whom you want to make application? A Yes sir.
- ✓ Q How many? A Three, I believe; one step child and two of my own children.
- ✓ Q What is the name of your step child? A Tom Jackson.
- Q How old is Tom Jackson? A 13 years old, I believe.
- Q Is he living with you now? A Yes sir, I raised him.
- Q Is his father living? A He died.
- ✓ Q What was his father's name? A Jim Jackson.
- ✓ Q Was he a full blood? A Yes sir.
- Q Did he always live in Mississippi? A Yes sir.
- Q Never went to Indian Territory? A No sir.
- Q How old would he be if he were living now- about? A I don't know.
- ✓ Q Tom Jackson is the son, then, of Jim Jackson, and Letitia Wallace, your present wife? A Yes sir.
- Q What are the names of your children for whom you want to make application? A Lemmie Wallace and Earley.
- Q How old is Lemmie? A He is three years old.
- Q How old is Earley? A One year old.
- Q Are these children both living with you at this time? A Yes sir.
- ✓ Q Are they both the children of yourself and Letitia Wallace?
A yes sir.
- Q That's all your children? A Yes sir.
- ✓ Q This application then is for yourself, wife, one minor step-child and two minor children? A Yes sir.
- Q Is your father's father living? A No sir.
- Q Do you know what his name was? A No sir.
- Q Has your father an Indian name? A I don't know.
- Q Is your father's mother living? A No sir, she died.
- Q Do you know what her name was? A I forgot now; I little boy before she died.
- Q Is your mother's father living? A No.
- Q What was his name? A I don't know.
- Q Is your mother's mother living? A No, he died.
- Q What was her name? A I don't know.
- Q Do you know the names of any of your ancestors farther back than any of your grand parents? A No sir.
- Q Is your wife's father's father living? A No.
- Q Do you know what his name was? A No, I don't know.
- Q Is your wife's father's mother living? A No, he died.
- Q Do you know what her name was? A No, I don't know.
- Q Is your wife's mother's father living? A No.
- Q Do you know what his name was? A No.
- Q Is your wife's mother's mother living? A No, I don't know what names, all die.
- Q Is Jim Jackson's father living? A No, sir.

Wesley Wallace, et al., 3.

Q What was his name? A I don't know.

Q Is Jim Jackson's mother living? A No, he died; I don't know her name.

Q You don't know the names of any of Jim Jackson's ancestors, then? A No sir.

Q Is your name, the name of your wife, or the name of your minor step child, Tom Jackson, to be found upon any of the Choctaw tribal rolls in Indian Territory? A No, I don't know.

Q Did you ever make application to the Choctaw tribal authorities, in Indian Territory, for yourself, wife or your minor step child, to be admitted or enrolled as members of the Choctaw tribe? A No, I aint been out there..

Q No one else ever made such an application in your behalf, did they? A No.

Q Did you, or any one for you, in the year 1896, or your wife, or any one for her, in that year, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.

Q Have you ever made any application of any description prior to this time to either the Choctaw tribal authorities or the United States authorities to be admitted or enrolled as a member of the Choctaw tribe? A Yes sir.

Q When? A At Decatur, Mississippi, in 1899.

The records of the Commission show that on February 8, 1899, this applicant appeared before the Commission at Decatur, Mississippi, and made application for the identification of himself, his wife, Letitia, and his minor son, Reb, and three minor step children, Seta, Tom and Simon Jackson, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 471; also, upon page 100 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands in Indian Territory under the provisions of the 14th article of the Treaty of Dancing Rabbit Creek, being Numbers 715, 716, 717, 718, 719 and 720, respectively, thereon.

Q At the time you appeared three years ago, you gave in the name of a minor son, Reb Wallace? A Yes sir.

Q Is he living? A He died in July, 1900.

Q You also gave in the name of a minor step child, Seta Jackson, is she living? A Yes sir, she living and married.

Q What is her husband's name? A Abin Wallace.

Q You also gave in the name of a minor step child, Simon Jackson? A He died August 1900.

Q When was Lemmie born? A July 15, 1898.

Q The records show that you appeared before the Commission on the 8th day of February, 1899, how does it happen you didn't give in the name of your min or Son Lemmie Wallace who was living at that time?

A I forgot it.

Q You are quite sure he was living at that time? A Yes.

Q When was Early born? A 21st of February, 1900.

Q Is this application you made in February, 1899, the only applicat

Wesley Wallace, et al., 4.

tion of any description you have made? A Yes.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory for yourself, your wife, minor step child and two minor children under the provisions of article 14 of the treaty of Dancing Rabbit Creek?

A Yes.

Q Do you understand that fourteenth article of the treaty of Dancing Rabbit Creek? A No sir.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September 1830, between the United States Government and the Choctaw tribe of Indians. At the time this treaty was made the Choctaws lived here in Mississippi and over in the western edge of Alabama. The object of this treaty was to secure the removal of the Choctaw Indians from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi River, a portion of which is now occupied by the greater portion of the Choctaw tribe of Indians. At the time this treaty was made, some of the Indians were unwilling to ~~remove~~ remove from this country, but preferred to remain here and become citizens of the States; for the benefit of those who preferred to remain here the 14th article was put into the treaty. That fourteenth article is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said land intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you think you understand that 14th article now? A Yes.

Q Did any of your ancestors, any of your wife's ancestors, or any of the ancestors of Jim Jackson, ever comply or attempt to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

Q Were any of them living here in the old Choctaw Nation in Mississippi and Alabama in 1830 when this treaty was made? A I don't know.

Q Did any of them own any improvement here at that time? A I don't know.

Q Were any of them recognized members of the Choctaw tribe of Indians here at that time? A I don't know.

Wesley Wallace, et al., 5.

Q Did any of them remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years, 1833 and 1838? A I don't know.

Q Did any of them ever claim or receive any land here in Mississippi from the Government of the United States under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A I don't know.

Q Did any of them ever claim or receive any land here in Mississippi from the Government of the United States under the provisions of any other article of the treaty of Dancing Rabbit Creek than the 14th article, or under the supplement to that treaty? A I don't know.

Q

In accordance with the provisions of article 14 of the treaty of Dancing Rabbit Creek, the Government of the United States directed an agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain here and become citizens of the States. The records of the Government show that that agent failed to register and report to the Government the names of many Choctaw Indians who did in fact signify to him their intention to remain here and become citizens of the States. On this account, the Government, in many instances, sold land upon which Choctaws lived and had improvements, and which they supposed they would receive from the Government under this 14th article, at its public land sales. This action of the Government in selling their lands, caused a great deal of complaint among the Choctaw Indians, and the matter was finally brought to the attention of Congress, and Congress passed an Act which was approved on the 3rd day of March 1837, providing for the appointment of a commission to come down here to Mississippi and hear the cases of Choctaws who claimed they had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, but that their land had been sold by the Government. This commission was duly appointed by the president, and the commissioners came down here to Mississippi and heard a few of these Choctaw cases, but in the time allowed them by the Act of Congress under which they were appointed, and a later act of Congress, approved February 23, 1828, to continue the commission, they were unable to hear but a comparatively small number of these cases, and it therefore became necessary for Congress to make further provision whereby the remainder of these Indians might be given a hearing, and another Act of Congress was passed and was approved on the 23rd day of August 1842, providing for the appointment of another commission whose duty it was to come down here to Mississippi and finish up the hearing of these Choctaw cases; this commission was duly appointed by the president, and the commissioners came down here and heard a great many more of these cases.

Q Did any of your ancestors appear before either of these commissions and attempt to establish their rights under the provisions of article 14 of the treaty of Dancing Rabbit Creek, or did any of the ancestors of Letitia Wallace, your wife, or any of the ancestors of Jim Jackson, do so? A I don't know.

Wesley Wallace, et al., 6.

The Act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, but that his land had been sold by the Government, he should be entitled to select in lieu thereof, land elsewhere in Mississippi, or in Louisiana, Alabama or Arkansas, from vacant Government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors, any of your wife's ancestors, or any of the ancestors of Jim Jackson, ever receive any of this scrip from the United States Government under this Act of Congress?

A I don't know.

Q So far as you know were any of your ancestors, any of the ancestors of your wife, or any of the ancestors of Jim Jackson, ever recognized members of the Choctaw tribe of Indians? A I don't know.

Q Did any of them ever receive any benefits as such? A I don't know.

Q Did you ever hear of any of them ever having received any land from the United States Government here in Mississippi? A I don't know.

Q Do you know any one living who would likely know as to whether any of your ancestors, any of your wife's ancestors, or any of the ancestors of Jim Jackson ever complied or attempted to comply with the provisions of the 14th article of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

Q Have you any witnesses here to-day? A No.

Q Have you any written evidence to offer? A No.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors, or your wife's ancestors, or any of the ancestors of Jim Jackson ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

Q Do you want permission to offer written evidence later? A No.

Q Any further statements you desire to make? A No.

you will be allowed a reasonable time in which to file proper written evidence in this case; the commission would be glad, however, to have you offer this evidence in thirty days if you desire to do so. If you should discover any witnesses whom you desire to appear before us, they may appear before us at any of the appointments of the commission here in Mississippi this fall, or at the office of the Commission at Muskogee, Indian Territory, where their testimony will be taken.

Q Have you any brothers living? A Yes.

Q How many? A Three.

Q What are their names? A Abin Wallace.

Q What is his wife's name? A Seta.

Q Where does he live? A He lives at out there where I live.

Q North of Decatur? A Yes.

Q About how old is he? A About 21.

Q Has he been before the Commission? A Yes sir.

Q What is your other brother's name? A William.

Q How old is he? A Younger than Abin.

Wesley Wallace, et al., 7.

Q Lives with his father? A Yes sir.
Q Has father has been before the Commission? A Yes sir.
Q Did you ever have any other brother? A No sir.
Q Have you any sisters living? A Yes sir.
Q How many? A Three.
Q What are their names? A My eldest one is named Maggie.
Q Is she married? A Yes sir.
Q What is her husband's name? A Bill Wilson.
Q Where does she live? A Conehatta.
Q Is Bill Wilson a full blood Choctaw? A Yes.
Q Has he been before the Commission this year? A No sir. I don't know.
Q Have they any children? A Yes sir.
Q How many? A Five.
Q What are their names? A Sampson.
Q The next one? A Sammie.
Q The next one? A Jimmie.
Q The next one? A Freeman.
Q The next one? A Dennis.
Q What is your next sisters name? A Leona.
Q Is she married? A yes sir.
Q What is her husband's name? A Freeman, Williamson.
Q Is he living? A Yes sir.
Q They live together? A Yes sir.
Q Full blood Choctaw? A Yes sir.
Q Have any children? A No sir.
Q Have they been before the Commission, either of them this year? A I reckon so, I don't know.
Q What is the name of your other sister? A Bessie.
Q Is she married? A Yes sir.
Q What is her husband's name? A J.P. Morris.
Q Is he living? A Yes sir.
Q Full blood Choctaw? A yes sir.
Q Been before the Commission? A Yes sir.
Q Have they any children? A No sir, got no children.
Q Did you ever have any other sisters? A No that's all.
Q Didn't you have one dead? A Three of them dead.
Q What are the names of those who are dead? A Nancy.
Q Did she leave any family? A yes sir.
Q How many children? A Five.
Q What are their names? A Lena Jack.
Q Is she married? A yes sir.
Q What is her husband's name? A Tom Jack.
Q Is she the Lena Jack who appeared before the Commission here to-day? A Yes sir, here to-day.
Q What are the names of the other children? A His brother Jim - call him Jim Jackson.
Q Did they ever call him Jim Hammond? A Yes.
Q How did he get the name of Jim Hammond? A Well, some white man give him that name.
Q Has he been before the Commission? A Yes sir, I believe it is.
Q What are the names of the other children? A Walter.
Q The next one? A Mary.
Q The next one? A I don't know the little one.
Q What is the name of the next one of your sisters that is dead?
A Leanna.
Q Did she leave any children? A No, sir; just young when she died.
Q What is the name of the next one of your sisters who died? A Lir-
sie.

Wesley Wallace, et al., 8.

- Q Did she leave any children? A No, little girl when she died.
Q Has your wife any brothers living? A No, don't know.
Q Did she ever have any brothers? A I don't know.
Q Did she ever have any sisters? A Yes, got sisters but I don't know what his name.
Q Did she leave any children? A Yes, this fellow J.P. Morris.
Q Did she ever have any other sisters? A No, I don't know.
Q Has Jim Jackson any brothers living? A No, I don't know, all died.
Q Did any of them leave families? A No sir.
Q Did Jim ever have any sisters? A No sir.
Q Has your father any brothers living? A Yes sir, one living.
Q What is his name? A John Dixon.
Q Full brother of your father? A Yes sir.
Q How does it come his name is not Wallace? A I can't think about that.
Q Has he been before the Commission this year? A Yes sir, I think he went to Meridian.
Q Is his wife living? A No sir, he died.
Q Has he any children? A One.
Q What is its name? A Ona.
Q Did your father ever have any other brothers? A That's all.
Q Has your father any sisters living? A No.
Q Did he ever have any sisters? A No sir.
Q Did your mother ever have any brothers? A Yes sir.
Q Any of them living? A One living.
Q What is it name? A Jimmie son Porter.
Q Where does he live A Close by Philadelphia.
Q Has he been before the Commission this year? A I don't know.
I aint seen him in long time.
Q How old a man is he? A I don't know.
Q Is his wife living? A Yes sir.
Q What is his wife's name? A I can't think of his name.
Q Have they any children? A Yes sir.
Q Do you know their names? A I know just one.
Q What is that one's name? A Halliston.
Q How old is he? A I think about 13 years old before he died.
Q He is dead now? A Yes sir.
Q Did your mother ever have any other brothers? A No, I don't know.
Q Did your mother ever have any sisters? A Yes, but he die.
Q Any of them leave children? A Just one but he died.
Q Are any of your wife's father brothers living? A No, all died I expect.
Q Did you ever know any of them? A No, I don't know.
Q Do you know their names? A No.
Q Do you know whether any of their children are living? A No.
Q Did she ever have any sisters? A Yes, but all died; I don't know what their names are.
Q Do you know whether any of their children are living? A No, I don't know. All the children are dead.
Q Did your wife's mother ever have any sisters? A I don't know that.
Q Did your wife's mother ever have any ~~sisters~~ brothers? A I don't know, you know I'm too young to know.
Q Has Jim Jackson's father any brothers living? A No sir.
Q Did he ever have any brothers? A No, I don't know.
Q Did Jim Jackson's father ever have any sisters? A I don't know.
Q Did Jim Jackson's mother ever have any brothers? A I don't know.
Q Did Jim Jackson's mother ever have any sisters? A All died; I can't think about them at all.
Q You don't know the names of any of them either? A No.

Wesley Wallace, et al., 9.

(This applicant has every appearance and characteristic of a full blood Indian; he speaks and understands the Choctaw language and some English, the examination having been conducted chiefly through a sworn Choctaw interpreter.)

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 25th day of October, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Decatur, Mississippi, this 26th day of October, 1901.

L. B. Mosely

Clerk U. S. Circuit Court.
Southern District of Mississippi.

By

[Signature]

Deputy.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application of Wesley Wallace, et al.,
for identification as Mississippi Choctaws, M C R 3921.

-----: D E C I S I O N :-----

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
on October 25, 1901, by Wesley Wallace, for himself, his wife,
Letitia Wallace, his two minor children, Lemmie and Earley Wallace,
and his minor stepson, Tom Jackson, under the following provision
of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may ad-
minister oaths, examine witnesses, and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

From the evidence offered in support of said application,
it appears that the applicants are full-blood Mississippi Choctaw
Indians.


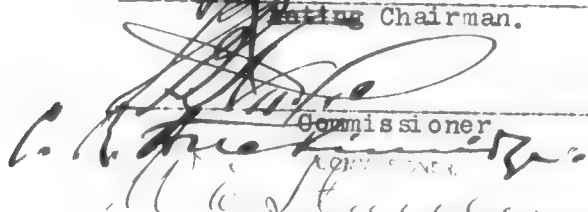
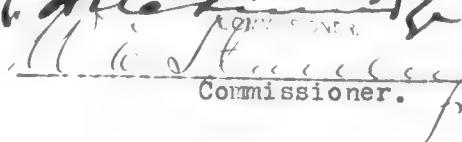
Section forty-one of the act of Congress entitled "An Act
To ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes", approved July 1, 1902,
(32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations
September 25, 1902, provides as follows:

"The application of no person for identification as a
Mississippi Choctaw shall be received by said Commission after
six months subsequent to the date of the final ratification of

this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Wesley Wallace, Letitia Wallace, Lermie Wallace, Earley Wallace and Tom Jackson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JUL 8 1903

M C N 3021

Washoe, Indian Territory, May 14, 1903.

Wesley Wallace,
Armstrong, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you ask to be advised whether or not you have been identified.

In reply you are informed that it appears from our records that you made application to this Commission for the identification of yourself, your wife, Letitia Wallace, your step-child Tom Jackson, and two minor children, Lemmie and Harley Wallace, as Mississippi Choctaws.

Up to the present time the Commission has not reached any decision relative to your right to such identification. As soon as a decision is rendered you will be duly notified of the action of the Commission.

Respectfully,

Chairman.

K.O.R. 3921

Y.
Muskogee, Indian Territory, July 8, 1903.

Wesley Wallace,

Decatur, Mississippi.

Remitted Anderson J. J. Aug 19 1903.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 8, 1903, identifying yourself, your wife Letitia Wallace, and minor children Lemmie and Earley Wallace and step-son Tom Jackson as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before January 8, 1904, you will have six months from that date, or until July 8, 1904, within which to make proof of such removal and settlement at the office of the Commission at Ateka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc. 3921.

COPY.

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 8, 1903, identifying Wesley Wallace, his wife Letitia Wallace, minor children Lennie and Earley Wallace, and minor step-son Tom Jackson as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Wesley Wallace, his wife, children and step-child as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

T. B. Needles

Commissioner in Charge.

H.C.R. 3921

Muskogee, Indian Territory, August 26, 1903.

Wesley Wallace,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter without date advising of your change of post office address and asking that your papers be sent to you at Ardmore, Indian Territory.

In reply you are advised that on August 19, 1903, the notice of the Commission's decision of July 8, 1903, identifying you and your family as Mississippi Choctaws was remailed to you at Ardmore, Indian Territory, having been returned from Decatur, Mississippi, your former post office address.

Respectfully,

Commissioner in Charge.

Artemus, I. V. May 16, 1908

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. H. Ball, of Atoka, Indian
Territory, and copies of the record in my case that under the
rule of law, the Commission may give out to Attorneys, as I
have employed him to assist me in this case.

WITNESSES:

S. J. P. P.

Wesley Wallace
mark

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE
Identification
Application for Enrollment of

INFANT CHILD

Lemmie Wallace

IN RE ~~ENROLLMENT~~

MISSISSIPPI CHOCTAW

Approved,

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

190

Commissioner.

See Miss Choctaw Card No 471.

The within application is accepted as proof of the birth of the within named child, and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws, but is not to be considered as an application for its enrollment as a citizen of the Choctaw Nation.

[Signature]
Acting Chairman.

DEPARTMENT OF THE INTERIOR;
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 11 1901

[Signature]
ACTING CHAIRMAN.

MISSISSIPPI CHOCTAW, #471

3921

See Miss Cho Card Filed No 471 AS
BIRTH AFFIDAVIT.
FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Identification, as a citizen of the MISSISSIPPI CHOCTAW Nation,
of Lemmie Wallace, born on the 15th day of July, 1898.
(Here insert name of child)
Name of Father: Mrs Wallace, a citizen of the CHOCTAW Nation.
Name of Mother: Letitia Wallace, a citizen of the CHOCTAW Nation.
Post-office, Decatur, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
State of Mississippi, }
County of Newton, District. }
I, Letitia Wallace, on oath state that I am 32
years of age and a citizen by Full Blood, Choctaw Indian Nation;
that I am the lawful wife of Mrs Wallace, who is a citizen by
Full Blood of the Choctaw Indian Nation, that a male child was
born to me on the 15th day of July, 1898; that said child has been
named Lemmie Wallace, and is now living.

WITNESSES TO MARK: Letitia Wallace
(Must be Two Witnesses) { Guy L. V. Emerson mark
R. J. Strick

Subscribed and sworn to before me this 25 day of October, 1901.

L. B. Mosley, Clerk
U. S. Circuit Court, District of Mississippi
By J. B. Strick, D.C.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
State of Mississippi, }
County of Newton, District. }
I, Wreley Wallace, on oath state that I
attended on Mrs Letitia Wallace my wife, who is a citizen by
on the 15th day of July, 1898; that there was born to her on
said date a male child; that said child is now living and has been
named Lemmie Wallace.

WITNESSES TO MARK: Wreley Wallace
(Must be Two Witnesses) { Guy L. V. Emerson mark
R. J. Strick

Subscribed and sworn to before me this 25 day of October, 1901.

L. B. Mosley, Clerk
U. S. Circuit Court, District of Mississippi
By J. B. Strick, D.C.

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW**

IN RE
Identification
Application for ~~the~~ *admission* of

INFANT CHILD

Carley Wallace
as a citizen of

MISSISSIPPI CHOCTAW.

Nation

Approved,

190.

**FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW**

Commissioner.

See Miss Choctaw Card Filed NO 471

The within application is accepted as proof of the birth of the within named child, and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws, but is not to be considered as an application for its enrollment as a citizen of the Choctaw Nation.

[Signature]
Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 11 1901

[Signature]
ACTING CHAIRMAN.

MISSISSIPPI CHOCTAW 471.

3921

See Miss Choctaw Card Filed No 471

BIRTH AFFIDAVIT.

FOR IDENTIFICATION AS

MISSISSIPPI CHOCTAW

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Identification
IN RE Application for Enrollment, as a citizen of the MISSISSIPPI CHOCTAW Nation,
of *Carley Wallace* (Here insert name of child), born on the *21st* day of *Feb*, 1900.
Name of Father: *Mrs Wallace*, a citizen of the MISSISSIPPI CHOCTAW Nation.
Name of Mother: *Letitia Wallace*, a citizen of the MISSISSIPPI CHOCTAW Nation.
Post-office: *Secatur, Miss.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

State of Mississippi
County of Newton

I, *Letitia Wallace*, on oath state that I am *32* years of age and a citizen, by *Full Blood*, of the *Choctaw Indian* Nation; that I am the lawful wife of *Mrs Wallace*, who is a citizen by *Full Blood*, of the *Choctaw Indian* Nation, that a *male* child was born to me on the *21st* day of *Feb*, 1900; that said child has been named *Carley Wallace*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Letitia^{her} Wallace
Guy L. V. Emerson MARK
R. S. Street

Subscribed and sworn to before me this *25* day of *October*, 1901.

L. B. Moseley Clerk
U. S. Circuit Court, So Dist of Mississippi
By Branch, D.C.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE, ETC.

UNITED STATES OF AMERICA,

State of Mississippi
County of Newton

I, *Carley Wallace*, on oath state that I attended on Mrs *Letitia Wallace* my wife *Mrs Wallace* on the *21st* day of *Feb*, 1900; that there was born to her on said date a *male* child; that said child is now living and *has* been named *Carley Wallace*.

WITNESSES TO MARK:

(Must be Two Witnesses)

Carley^{his} Wallace
Guy L. V. Emerson MARK
R. S. Street

Subscribed and sworn to before me this *25* day of *October*, 1901.

L. B. Moseley Clerk
U. S. Circuit Court, So Dist of Mississippi
By Branch, D.C.

#1456

No.

3951

For Identification as a Mississippi Choctaw.

Decatur, Miss Date OCT 21
Name Wesley Wallace
Age 27 Blood full
Post Office, Decatur, Miss.
Father: John Wallace L
Mother: Sarah " d

Claims through both parents.
wife Letitia Wallace (full) 32 L
Father Ah-no-sa-chubbe L
Mother dont know- d
(Claims for self, wife, one stepchild and two children)

Children:

Tom Jackson 13
Father Jim Jackson L
Mother Letitia Wallace (abn) L
Lemmie Wallace 3
Earley " 1

(See Miss Cho card fees No 471)
Appearance 7/8/99

Stenographer

R. S. Strick

Wesley Wallace et al

R. 3921

Choctaw MCR 3922

Walter R. Garland

See MCR 3878

MCR 3922

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MEMPHIS, I. T. NOVEMBER 1, 1901.

2022

In the matter of the application of Joe B. Garland for the identification of his two minor children as Mississippi Choctaws.

John London attorney for applicant.

Joe B. Garland being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Joe B. Garland.
Q What is your age? A Sixty one.
Q Are you a white man? A Yes sir.
Q You don't claim as a Mississippi Choctaw by blood? A No sir.
Q You make application for whom? A Walter Garland and Ray Garland.
Q Two minor children? A Yes sir.
Q What is your post office address? A Auzema, Red River County, Texas.
Q Is this also the address of these two minor children for whom you propose to make application? A Yes sir.
Q How long have you lived there with your minor children? A Over thirty years on the same place; they lived there all their lives.
Q What is the name of the eldest of the minor children for whom you wish to make application? A Wirtter B. Garland: (W-i-r-t-t-e-r)
Q How old is this child? A Twenty years old.
Q Is this a girl or boy? A Boy.
Q What is the name of the next boy? A Ray B. Garland.
Q How old is Ray? A Nine years old.
Q Is that all, just those two? A Yes sir.
Q You are the father of these children? A Yes sir.
Q What is the name of the mother of these children? A Jennie S. Garland. (J-e-n-n-i-e)
Q She is dead, is she? A Yes sir, she is dead.
Q Are these two children living with you at your home? A Yes sir.
Q They are your own children by your wife, Jennie? A Yes sir.
Q When and where were you married to her? A In Clarksville, Texas in 1875, October 22.
Q Were you married to her by minister and under a license? A Yes sir.
Q Have you the marriage license and certificate with you? A Yes sir, we have them at home.
Q Do you intend to file them? A Yes sir.
Q These children then, claim through their mother, Jennie S. Garland? A Yes sir.

Q When and where did she die? A She-- near Annena at our place July 6, 1895.

Q You make application for these two children? A Yes sir.

Q Not for yourself? A No sir.

Q You make application for them as their father and natural guardian? A Yes sir.

Q Are the names of these children on any of the tribal rolls of the Chectaw Nation in Indian Territory? A No sir, I think not.

Q Did you ever make application for these children to be enrolled as Chectaw citizens to the Chectaw tribal authorities? A Never did.

Q Did you ever make application for citizenship in behalf of these children in the Chectaw Nation by making application to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No, sir, never did.

Q Have these children ever been admitted to citizenship in the Chectaw Nation by either the Chectaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir; never have.

Q Is this the first application that has ever been made for them for citizenship in the Chectaw Nation either the Chectaw tribal authorities or the United States authorities in the Indian Territory? A It is.

Q Do you now come before the Commission for the purpose of identifying these children as Mississippi Chectaws under article fourteen of the treaty of Dancing Rabbit Creek? A Yes sir.

Q Do you understand that article of that treaty? A I think I do rather.

Q Have you heard it explained and read a number of times? A Yes.

Q Do you waive the explanation of it? A Yes sir.

Q Article fourteen reads as follows: "Each Chectaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section of land to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of the treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Chectaw citizen, but, if they ever remove, are not to be entitled to any portion of the Chectaw annuity."

Q You think you understand that article, do you? A I think I do; yes sir.

Q So that you can claim for these children under it understandingly? A Yes sir.

Q Do you know if any of the ancestors of these children ever complied or attempted to comply with any of the provisions of this article fourteen of the Treaty of Dancing Rabbit Creek as read to you? A I don't know sir.

- Q What was the name of the ancestor through whom these children claim the right to be identified as Mississippi Choctaws? A Rachel Shelton.
- Q When and where was Rachel Shelton, the ancestor of these children, born? A I don't know.
- Q When and where did she die? A Near Clarksville, Texas.
- Q Do you remember the date of her death? A In '57 or '58 I don't remember; my wife said she was staying with her when she died.
- Q How old was she when she died? A I learn that she was born in 1785 and died in '57 or '58; that would make her about seventy eight.
- Q Where did she live the most of her life? A She lived the latter part of her life in Texas, Clarksville.
- Q Did she ever live in Mississippi or Alabama? A I don't know.
- Q How much Choctaw blood did she have? A I don't know.
- Q Ever hear that she had any? A I have understood so.
- Q Where did you hear that? A I have heard it as family talk.
- Q You don't know how much? A No sir.
- Q These children claim through Jessie S. Garland, your wife? A Yes sir.
- Q Her maiden name was-? A Lattimer.
- Q She claimed through? A Her mother.
- Q How much Choctaw blood did she claim through her mother? A I don't know sir. I don't know what the relationship was.
- Q You don't know how much? A No sir.
- Q Her mother claimed through whom? A She claimed through her mother, Rachel Shelton.
- Q When and where did your wife's mother die? A Near Clarksville at our home.
- Q Did she ever live in Mississippi or Alabama? A No sir, she never.
- Q Do you know where she was born? A No sir.
- Q What was the name of the husband of Rachel Shelton? A Jesse Shelton.
- Q What was his occupation do you know? A I have always understood that he was an Indian preacher.
- Q White man? A Yes sir, I have understood so.
- Q Do you know whether Rachel Shelton got her Choctaw blood from her father or mother? A Father, I understand.
- Q What was his name? A Marshall.
- Q Do you know his given name? A No sir.
- Q Do you know whether any of the ancestors of these children were Mississippi Choctaws living in the old Choctaw Nation in Mississippi or Alabama and were heads of families there at that time? A No sir I don't know.
- Q Did any of their ancestors own any improvements on land in Mississippi in 1830? A I don't know.
- Q Did any of them go from Mississippi or Alabama to the new Choctaw Nation in the Territory between 1833 to 1838 with the other Indians? A I don't know; can't say.
- Q Did any of the Mississippi Choctaw ancestors of these children within six months after the ratification of the treaty of 1830 go to the United States Indian agent Col. Ward and tell him they intended to stay there in Mississippi, take lands and become citizens of the States? A I don't know.
- Q Did any of their ancestors, if Choctaw Indians, claim or own any lands in Mississippi or Alabama under article fourteen of the treaty of 1830? A I don't know.
- Q Did they claim or own any lands under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

According to the provisions of the fourteenth article of the treaty of 1830 the United States Indian agent Sol. Ward, who lived in Mississippi at that time was instructed by the United States Government to make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the treaty of 1830 and claimed benefits under article fourteen of the treaty of Dancing Rabbit Creek; this Indian agent made a list, called Ward's Register, which contained the names of very few of all the Choctaw claimants who came before him as required under the provisions of article fourteen of that treaty of 1830. This neglect on his part to properly record the names of all claimants who came before him pursuant to that article of that treaty caused many Indians in Mississippi and Alabama to lose the land upon which they had improvements and were living, for it was sold by the Government at its Public Land Sale. This caused so many complaints among the Indians that finally in 1837, Congress appointed a Commission which went to Mississippi and heard claimants under article fourteen of that treaty and made lists of the names of all persons who came before it. In 1842 Congress appointed another Commission for the same purpose and they also made lists of all claimants who came before them.

Q Did you ever hear that any of the Choctaw ancestors of these children appeared before either of these Commissions and claimed benefits under article fourteen of that treaty? A Yes sir.

Q Who, did you hear, went before either of these Commissions? A Rachel Shelton, I understand.

Q In what way do you understand? A I understand that she went to them and applied for scrip. I have heard it.

Q This is a matter of family history and tradition then? A Yes, that's all I knew about it.

Q This scrip was issued by the Government after a claimant appeared before the Commission of 1842 and after they had proven their right under article fourteen and also had shown to this Commission of 1842 that they had formerly occupied land which had been taken from them by the Commission, that is, this scrip was issued to them authorizing them to select land in Mississippi, Louisiana, Alabama or Arkansas. Have you heard that? A U-hu, yes sir.

Q Have you any documentary evidence to prove that? A No sir.

On motion of counsel for this applicant who applies for his minor children, a reasonable time is allowed him in which to file documentary evidence or any proper evidence.

Q Do they speak or understand the Choctaw language, these children of yours? A They don't.

On the 31st day of October, 1901, there appeared before the Commission at its office at Atoka, I.T. for identification as Mississippi Choctaws the following named persons:

Clarence G. Hilburn 3999;	Willetta M. Murphy et al. 3900
Emma G. Stafford et al. 3901;	Melville Yates et al. 3902
Walter A. Jones et al. 3903	Vernor B. Jones 3904
Arthur L. Jones et al. 3905	Herbert I. Jones 3906
Gus B. Shelton 3907	Jack R. Garland et al. 3908
David W. Martin et al. 3909	Mattie Warner 3910
Vesta M. Harrod 3911	Nannie L. Garland 3912
Joella G. Garland 3913	Leda M. Garland 3914
Mary G. Grant 3915	Lucinda Jensen et al. 3916

Joseph R. Johnson 2017

numbers 3899 to 3917 inclusive, claiming through the same common ancestor, Rachel Shelton; and on the 28th, 29th, and 30th October other persons appeared claiming through the same common ancestor? You claim through the same common ancestor for these children? Rachel Shelton? A Yes sir.

Q Do you want these cases to be considered together so that your minor children may get the benefit of their testimony and records? A Yes sir.

Q Is there any further claim you want to make for these children? (No answer)

Examination by John Landon.

Q Isn't it a fact that these people were always ashamed of having Indian blood in their veins? A Yes sir; a large proportion of them are, not all of them.

Q You think that's why it hasn't been more talked of in the family? A Yes sir.

Examination by the Commission:

Q How much Choctaw blood do you claim for your children? A I don't know.

Q Do you know whether your wife, Jessie S. Garland the mother of these children has ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A I suppose she was; I never heard of it.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 1, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains.

Subscribed and sworn to before me this 18th day of November, 1901.

Charles Mitchell Wood

Notary Public.

COPY

COMMISSIONERS

HENRY L. DAWES,
TANS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 5922.

ALLEN ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Walter B. Garland,

Anna, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Mallida Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. E. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Walter B. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Studie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnneon, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frauk E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

MUR 3922

COPY.

Muskogee, Indian Territory, November 20, 1905.

Joe D. Garland,
Annona, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of your two children, Wirtter R. and Roy P. Garland, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3922

For Identification as a Mississippi Choctaw.

Date NOV. 1, 1901.

Name Joe R. Garland for
2 minor children.

Age 61 Blood white

Post Office, Annora, Texas.

Father: of children, Joe D. Garland, d

Mother: " " Jessie S. " d
children

Claims through mother -

Children:

Walter R. Garland ^{boy} 20

Roy P. " " 9

Claims for his 2
minor children -

Stenographer H. M. Harris.

Choctaw MCR 3923

Lamar + ne R. Latimer

See MCR 3878

MCR 3923

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 1, 1901.

2023

In the matter of the application of Lemartine R. Latimer for the identification of himself and his three minor children as Mississippi Choctaws.

John London attorney for applicant.

Lemartine R. Latimer being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Lemartine R. Latimer; (spelling it.)
Q What is your age? A Fifty one years.
Q What is your post office address? A Clarksville, Texas.
Q How long did you live there? A I have lived there all my life except two years.
Q Were you born there? A In Lamar County.
Q And Clarksville is in Red River County? A Yes sir.
Q Where did you live those two years--? A In Lamar County.
Q What is your father's name? A H.R. Latimer.
Q Is he living or dead? A Dead.
Q What is your mother's name? A Lucinda A. Latimer.
Q Is she living? A Yes sir.
Q Through which of these parents do you claim Choctaw blood?
A My mother.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribe or Indians or by the Choctaw tribal authorities or the United States authorities in Indian Territory? A No sir, I don't suppose.
Q When and where were your father and mother married? A In Lamar County, Texas.
Q What date? A In '43 I don't know exactly what date, or month.
Q Have you proof of their marriage with you? A I haven't.
Q Do you want to file them if given time? A I will; they were married when Texas was a Republic.

- Q Do you think you can produce that evidence if given time? A Yes.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Isabella G. Latimer.
- Q I-s-a-b-e-l-l-a? A Yes sir.
- Q Is she a white woman? A Yes sir.
- Q Do you make any claim for her? A No sir.
- Q Have you children that you want to make application for?
- A I have three minor children.
- Q All unmarried? A Yes sir.
- Q What is the name of the eldest? A Belle M. Latimer; (b-e-l-l-a)
- Q How old is she? A Twenty years. Then, Ledaiska Latimer; L-e-d-e-i-s-k-a.
- Q How old is she? A Eighteen.
- Q She is a girl I suppose? A Yes sir.
- Q What is the name of the next? A Gordon L. Latimer; G-o-r-d-o-n
- Q Boy? A Girl; she is named after our family physician.
- Q What is her age? A Sixteen.
- Q Is that all? A Yes sir.
- Q Is Isabella G. Latimer the mother? A Yes sir.
- Q You are the father? A Yes sir.
- Q They live with you at your home? A Yes sir.
- Q You claim for yourself and children? A Yes sir.
- Q When and where were you married to your wife? A In Carkville, on the 26th day of June, 1891.
- Q Were you married by a minister and under a license? A Yes sir.
- Q Have proof of the marriage of your yourself and wife with you?
- A No sir, not with me.
- Q Do you propose to file it? A Yes sir.

Attorney for applicant says they will all be filed together.

- Q Is your name or the name of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and these children to the Choctaw tribal authorities in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896?
- A No sir.
- Q Is this the first application of any kind that you have ever made for citizenship in the Choctaw Nation either the Choctaw tribal authorities or the United States authorities? A Yes sir.
- Q You have never been admitted, have you, or your children to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.
- Q Do you now come before the Commission for the purpose of identifying yourself and children as Mississippi Choctaws claiming an interest in the Choctaw lands in Indian Territory under article fourteen of the treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I think I do; yes sir.
- Q You have heard it read and explained a number of times at the Atoka office? A Yes sir.
- Q Do you waive further explanation of it? A Yes sir.
- Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land

to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which may be living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Now as you understand that article after having heard it read and explained a number of times, do you know if any of your Choctaw ancestors ever complied or attempted to comply with the provisions of article fourteen of the Treaty of Dancing Rabbit Creek? A I don't know.

Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Rachel Shelton

Q How much Choctaw blood did she have? A I don't know how much.

Q You never heard how much Choctaw blood Rachel Shelton had?

A No sir.

Q Never heard where she lived? A No sir, I never heard.

Q Do you know where she lived previous to her marriage?(No answer)

Q Do you know if she ever lived in the old Choctaw Nation in Mississippi or Alabama? A I don't know.

Q Do you know where she was born? A No sir.

Q Do you know where she died? A Near Clarksville.

Q What date? A I don't know exactly- in 1857.

Q Did she speak Choctaw language? A I don't know whether she did or not.

Q You never heard? A No sir.

Q Did she have an Indian name? A I don't know.

Q You claim your Choctaw blood through your mother, don't you?

A Yes sir.

Q How old would she be if living now? A About seventy three, I think.

Q Where was she born? A I have understood that she was born in the old Choctaw Nation, now in part of Arkansas, Hempstead County.

Q Did she ever live in the old Choctaw Nation in Mississippi or Alabama? A I don't know.

Q What relation was Rachel Shelton to you? A Grandmother.

Q Do you know whether your grandmother was a recognized member of the Choctaw tribe of Indians in 1830? A I don't know.

Q Or whether she or any of your Choctaw ancestors were heads of families there in 1830? A I don't know.

Q Your mother, Lucinda Latimer claims through Rachel Shelton?

A Yes sir. mother

Q Never heard of your speak of her mother being Choctaw Indian?

A Never heard her.

Q How old were you when she died? A About ten.

Q When was the first time you heard you had Choctaw blood? Long ago.

Q Always been a family history? A Yes sir. I have heard it first I think through an old family tradition; its always been taught.

Q Do you know? A I am not positive about that; that's the only way I have heard of it; I never heard my parents but I have heard

that old family daky.

Q Then you heard it once? A Yes, somewhere when I was young and its been my impression ever since I can remember.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi in 1830? A I don't know.

Q Did any of your Choctaw ancestors within six months from the ratification of the treaty of 1830 go to the United States Indian agent, Col. Ward, and tell him that they wanted to stay in Mississippi and take land there and become citizens of the States? A I don't know.

Q Did any of them go from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation, Indian Territory, between 1833 to 1838 with the other Indians? A I don't know.

Q Did any of your Choctaw ancestors claim or receive any land in Mississippi or Alabama as Choctaw Indians under article fourteen of the treaty of 1830? A Not as I know of.

Q Did any of your Choctaw ancestors claim or receive any land or other benefits whatever under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

According to the provisions of article fourteen of the treaty of Dancing Rabbit Creek the United States Indian agent, Col. Ward, who lived in Mississippi and Alabama in 1830 was required to make a list of all Choctaw Indian claimants who came before him within six months from the ratification of the treaty of 1830 and told him that they intended to stay in Mississippi and take land there. This United States Indian agent made a list, called Ward's Register but that list contains only a few of the total number of applicants who appeared before him pursuant to the provisions of that article of that treaty. This neglect to make a full and complete list of all applicants caused a great many Indians who had land to lose that land which was sold by the United States Government at its Public Land Sale. This caused a great many complaints among the Choctaw Indians in Mississippi and Alabama and as a result of the complaints made a Commission was appointed by Congress by Act of March 3, 1837, which Commission went to the State of Mississippi and heard claimants under article fourteen of the treaty of 1830, and made a list of the names of all claimants who came before it. In 1842 another Commission was appointed for the same purpose; this Commission heard all claimants who came before it.

Q Do you know if any of your Choctaw ancestors appeared before either the Commission of 1837 or that of 1842 and claimed benefits under article fourteen of that treaty? A I have understood that Rachel Shelton did.

Q In what way do you gather that knowledge? A I expect it is a matter of record; I have never searched.

Q What did you ever hear about it? A That's about all I have ever heard about it. She received scrip to land I think.

Q You have heard that she received scrip for land? A Yes sir.

Q That's all you do know about it? A Yes sir.

The Act of Congress approved August 23, 1842, provided that in case- whenever any claimant came before it and proved his claim under article fourteen of that treaty of 1830 if it also appeared at that time that he had had his land taken from him by the Government of the United States that he should be entitled to select land in Mississippi, Louisiana, Alabama or Arkansas, to be taken from vacant Government land and that certificates to that effect should

should be issued to him. These certificates were called scrip.

Q Did you understand that your ancestor, Rachel Shelton, had received such scrip as that from the Government? A Yes sir.

Q Have you any proof of it? A No sir.

Q Have you any documentary evidence or any other evidence you want to submit in support of this claim? A No sir.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which he makes for himself and children as Mississippi Choctaws.

On the 31st day of October there appeared for identification as Mississippi Choctaws persons claiming under one common ancestor, Rachel Shelton, who are represented by the following card numbers, from 3899 to 3917, inclusive, as follows:

Clarence G. Hilburn 3899	Willetta M. Murphy et al. 3900
Emma G. Stafford et al. 3901.	Melville Yates et al. 3902
Walter A. Jones et al. 3903	Verner D. Jones 3904
Arthur L. Jones 3905 et al.	Herbert I. Jones 3906
Gus B. Shelton 3907	Jack R. Garland et al. 3908
David W. Martin et al. 3909	Mattie Warner 3910
Vesta M. Herrod 3911	Hannie L. Garland 3912
Joella G. Garland 3913	Leda M. Garland 3914
Mary G. Grant 3915	Lucinda Johnson et al. 3916
Joseph R. Johnson 3917	

Q Are these all relatives of yours? A Yes sir.

Q And you claim through the same common ancestor they claim from? A Yes sir.

Q On the 28th, 29th, and 30th of October there were other persons appeared also for identification claiming through Rachel Shelton. Are they also relatives of yours? A Yes sir.

Q Do you want the testimony taken in their cases considered with yours so that you can get the benefit of their testimony? A Yes sir.

Q Do you understand the Choctaw language? A No sir.

Q Is there anything more you want to say in support of this claim? A No sir.

Applicant has the appearance and physical characteristics of being descended from white parentage; brown eyes, medium dark complexion, dark hair. Has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

-0-0-0-0-0-0-0-0-0-0-

Henry G. Hains being duly sworn on his oath states that as stated

grapher to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled case on November 1, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said case on said date.

Henry D. Haines

Subscribed and sworn to before me this 18th day of November, 1902.

Chas. B. Mitchell
Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3923.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Lamartine R. Latimer,
Clarksville, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomae M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Studie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Acting Chairman.

MOR 3923

COPY.

Muskogee, Indian Territory, November 20, 1905.

Lamartine R. Latimer,
Clarksville, Texas.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on November 6, 1905, affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and three minor children, Belle M., Lodoiska and Gordon L. Latimer, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED *W. O. Davis*

Acting Commissioner.

No. 5923

For Identification as a Mississippi Choctaw.

Date

NOV 7 1901

Name *Lamartine R. Latimer*

Age *51* — Blood *Don't Know.*

Post Office, *Clarksville, Texas,*

Father: *M. R. Latimer, d*

Mother: *Lucinda A. " d.*

Claims through Mother,

wife. Isabella G. Latimer W.

No claim for wife.

Children:

Belle M. Latimer, 20

Lodoiska " (girl) 18

Gordon L. " (girl) 16

Claims for self &
children —

Stenographer *H. G. Haine,*

Choctaw MCR 3924

Homer Murphy

MCR 3924

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WASHDCGN, D.C., NOVEMBER 1, 1901.

3924

In the matter of the application of Homer Murphy for the identification of himself and his minor child as Mississippi Choctaw.

John London, attorney for applicant.

Homer Murphy being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Homer Murphy.
Q What is your age? A Twenty five.
Q What is your post office address? A Petty, Texas.
Q How long have you lived there? A All my life.
Q Were you born there? A Yes sir.
Q What is your father's name? A Mort Murphy; (M-o-r-t)
Q Is he living? A Yes sir.
Q What is your mother's name? A Willetta M. Murphy; I always call her "Willie".
Q Is she living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A I don't know, sir; I don't think she has.
Q When and where were your father and mother married? A In Lamar County, Texas.
Q When? A Why, I don't know exactly.
Q Don't you recollect the date? A No sir.
Q By a minister and under a license? A Yes sir.
Q Do you think you can introduce the proper testimony of their marriage if given time? A Yes sir.

Reasonable time will be allowed for that.

Q Are you married? A Yes sir.
 Q What is your wife's name? A Nora V. Murphy.
 Q White woman? A Yes sir.
 Q Do you make any claim for her? A No sir.
 Q Have you any children you want to make application for? A I've got one.
 Q What is the name? A Burtrude Murphy; (applicant spells it.)
 Q A girl? A Yes sir.
 Q How old is she? A Three years old.
 Q Is that all the children you have? A Yes sir.
 Q You claim for yourself and child? A Yes sir.
 Q When and where were you married to your wife? A In Lamar County, Texas in 1896, 1st of October.
 Q By a minister and under a license? A Yes sir.
 Q Have you the marriage license and certificate of your marriage to your wife? A Yes sir.
 Q You intend to file them with this case? A Yes sir.
 Q Is your name or the name of this child on any of the tribal rolls of the Choctaw nation in Indian Territory? A No sir.
 Q Did you ever make application for citizenship in the Choctaw Nation for yourself and child to the Choctaw tribal authorities? A No sir.
 Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
 Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by United States Court in Indian Territory? A No sir.
 Q Did you ever before this time seek to be identified as a member of the Choctaw tribe of Indians by making application either to the Choctaw tribal authorities or the United States authorities? A No sir, never did.
 Q Do you now come before the Commission for the purpose of being identified, yourself and child, as Mississippi Choctaws claiming rights in Choctaw lands under article fourteen of the treaty of 1830? A Yes sir.
 Q Do you understand that article of that treaty? A I think I do.
 Q Have you heard it read and explained a number of times? A Yes, down there in Atoka.
 Q You waive the explanation of it? A Yes sir.
 Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but, if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you know whether any of your Choctaw ancestors ever complied or attempted to comply with any of those provisions of article fourteen? A Well, I don't know hardly; I think something about the scrip; is that right to come in there now about the scrip?
- Q You think some of your ancestors received scrip from the Government? A Yes sir.
- Q That would be under Act of Congress approved August 23, 1842, which authorized the issuing of scrip to those persons who came before the Commission of 1842 and proved their claims under article fourteen and also proved that they held land in Mississippi and that the Government had taken their land away; in these cases the Government issued scrip authorizing those claimants to select land in Mississippi, Alabama, Louisiana or Arkansas. Did you understand that any of your ancestors received any such scrip? A I understand that Rachel Shelton did.
- Q What relation was she to you? A Great-grandmother, I reckon; let's see;— we claim through our mother; yes.
- Q When and where was she born? A I don't know.
- Q When and where did she die? A I don't know that.
- Q When and where did she live during her life time? A I don't know that.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did she have an Indian name? A I don't know.
- Q Did she speak the Choctaw language? A I don't know.
- Q You don't know whether she or any of your Choctaw ancestors lived in the old Choctaw Nation in Mississippi or Alabama and were recognized heads of families of the tribe there at that time? A No sir; I don't know.
- Q You claim through your mother, Willetta Mc--? A Yes sir.
- Q What was her maiden name? A Willetta Yates before she married.
- Q She claimed through which ancestor, father or mother? A Her mother.
- Q Was her mother ever in Mississippi or Alabama? A I don't know.
- Q Her mother's name was what? A Shelton.
- Q What was the given name? A I don't know.
- Q Do you know if any of your Choctaw ancestors lived in Mississippi or Alabama in 1830 or any time before or after that day? A No sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent in Mississippi that they wanted to stay there and take land? A I don't know.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Indian Territory from the old Choctaw Nation in 1833 to 1838? A I don't know.
- Q Did any of your Choctaw ancestors own, claim or receive any land from the Government of the United States as Choctaw Indians under article fourteen of the treaty of 1830? A Well, I don't know.
- Q Did any of your ancestors receive or claim any benefits or land under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

In accordance with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek the United States Indian Agent, Col/ Ward who lived in Mississippi in 1830 was required by the Government of the United States to make a list of the names of all Choctaw Indians who came before him within six months after the

ratification of the treaty of Dancing Rabbit Creek and told him that they wanted to live in Mississippi, take land there in the old Choctaw nation and become citizens of the United States. This agent made a list, called Ward's Register, upon which are the names of less than one hundred heads of families and which contains a very small proportional part of the total number of Indians who came before him within six months after the ratification of this treaty and made their claims to stay in Mississippi and take land there. On account of his neglect to make a full and complete list of Indians who came before him a great many Indians had their land taken from them; it was sold by the Government at its Public Land Sale; this caused a great deal of distress and a great many complaints on the part of the Indians and in 1837 as a result of these complaints Congress appointed a commission which went to the State of Mississippi and heard claimants under article fourteen of the treaty. In 1842 another Commission was appointed by Congress for the same purpose, and this Commission also went to Mississippi and heard claimants under article fourteen of the treaty.

Q Do you know if any of your Choctaw ancestors ever appeared before either the Commission of 1837 or that of 1842 and claimed benefits under article fourteen of the Treaty of Dancing Rabbit Creek? A No sir.

Q Ever hear that they did? A No sir.

The Act of Congress approved August 23, 1842, provided that if any Choctaw claimants appeared before it and proved his right to claim under article fourteen, if it also appeared that his land had been previously been taken away from him by the Government that he should be entitled to select land there in Mississippi, Alabama, Louisiana or Arkansas and that he should receive a certificate to that effect and these certificates were called scrip.

Q Is that the scrip you think Rachel Shelton received? A I think so.

Q Have you any proof of that fact? A Well, I don't know.

Q Have you any proof or documentary evidence or any evidence proper to be presented in this case to file now before this Commission? A Not now.

A reasonable time will be allowed this applicant in which to file documentary or any other proper proof in support of his application for identification as Mississippi Choctaws of himself and child.

Q Do you speak or understand the Choctaw language? A No sir. A number of persons have made application for identification as Mississippi Choctaws at the office of the Commission at Atoka,

on the 31st day of October, 1901, all claiming through the same common ancestor, Rachel Shelton, whose card numbers are 3899 to 3918 inclusive.

Q Are these all relatives of yours? A Yes sir.

Q They claim through the same ancestor you do, Rachel Shelton?

A Yes sir.

On the 28th, 29th and 30th other persons claiming through the same common ancestor, Rachel Shelton, appeared before the Commission at Atoka,; are they also relatives of yours? A Yes sir.

Q Do you want to have the testimony taken in these cases considered with yours when this is considered by the Secretary of the Interior? A Yes sir.

Q Is there anything more you want to say? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; blueish gray eyes, medium fair complexion, brown hair. Has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 1, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 19th day of November, 1901.

Clara Mitchell
Notary Public.

COPY

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

H.C.R. 3024.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Homer Murphy,

Petty, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
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Sallie Stanley, et al.,	M C R 3348
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Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
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Mary L. Crook, et al.,	M C R 3869
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Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W. Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. E. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
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Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
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Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W. Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Quain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrade Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Bena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

MOR 3924

COPY.

Muskogee, Indian Territory, November 20, 1905.

Homer Murphy,
Petty, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and minor child, Burtrude Murphy, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

Identification as a Mississippi Choctaw.

Date

NOV 71 1901

Name Homer Murphy

Age 25

Blood Don't know.

Post Office, Petty, Texas,

Father: Mort. Murphy, l.

Mother: Willetta M. l.

Claims through Mother
wife Nora W. Murphy, W.
No claim for wife —

Children:

Burtrude (que) Murphy 3.

Claims for self &
child

Stenographer

W. G. Bains.

Choctaw MCR 3925

John W. Murphy

See MCR 3878

MCR 3925

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 1, 1902.

3085

In the matter of the application of John W. Murphy for the identification of himself and his minor child as Mississippi Choctaws.

John London attorney for applicant.

John W. Murphy being first duly sworn testified as follows:

Examination by the Commission:

- Q. What is your name? A. John W. Murphy.
Q. What is your age? A. Twenty seven.
Q. What is your post office address? A. Potts, Texas.
Q. How long have you lived there? A. I was born and raised there.
Q. What County is that? A. Lamar County.
Q. What is your father's name? A. Bert Murphy; (Mortimer.)
Q. Is he living? A. Yes sir.
Q. What is your mother's name? A. Willetta M. Murphy; (W-i-l-l-e-t-t-a-M.)
Q. Is she living? A. Yes sir.
Q. You claim through which parent? A. My mother.
Q. How much Choctaw blood do you claim through your mother? A. I don't know sir.
Q. Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A. No sir.
Q. Have you proof of the marriage of your father and mother? A. I can produce it.
Q. When and where were they married? A. They were married in Lamar County, Texas, the 27th day of April, 1871.
Q. By a Minister and under a license? A. Yes sir.
Q. Are you married? A. Yes sir.
Q. What is your wife's name? A. Billie M. Murphy; (B-i-l-l-i-e-M.)
Q. Is she a white woman? A. Yes sir.
Q. Do you claim anything for her? A. No sir.

- Q Have you children you want to make application for? A One.
- Q What is the name? A Verda L. Murphy: (V-e-r-d-a)
- Q How old is she? A Nine months.
- Q Is that the only child you have? A Yes sir.
- Q You claim for yourself and this child? A Yes sir.
- Q When and where were you married to her? A In Lamar County, December 16, 1894.
- Q Were you married by a minister and under a license? A Yes sir.
- Q You propose to file it in this case do you? A Yes sir.
- Q Is your name on any of the tribal rolls of the Chectaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application to the Chectaw tribal authorities for citizenship in the Chectaw Nation? A No sir.
- Q Did you ever make application for citizenship in the Chectaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Chectaw Nation by either the Chectaw tribal authorities, the Commission to the Five Civilized Tribes or by United States Court in Indian Territory? A No sir.
- Q Is this the first application you have ever made of any description for enrollment as a citizen of the Chectaw Nation either to the Chectaw tribal authorities or the United States authorities in Indian Territory? A Yes sir.
- Q Do you now appear before the Commission for the purpose of being identified as Mississippi Chectaws claiming rights in the lands in Indian Territory Chectaw Nation under article fourteen of the treaty of 1830? A Yes sir.
- Q You understand that article of that treaty? A Yes sir.
- Q You have heard it read and explained a number of times? A Yes sir.
- Q Do you waive the explanation now? A Yes sir.
- Q As you have heard that treaty read and explained, can you tell whether any of your Chectaw ancestors ever complied or attempted to comply with any of the provisions of that article of that treaty? A No sir; I don't know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Chectaw? A Rachel Shelton.
- Q When and where was she born? A I don't know sir.
- Q When and where did she die? A I don't know.
- Q Did she ever live in Mississippi or Alabama in the old Chectaw Nation? A I don't know.
- Q How much Chectaw blood did she have? A I don't know that.
- Q You claim through your mother, Willetta Murphy? A Yes sir.
- Q What was her maiden name? A Willetta Yates.
- Q Did she ever live in Mississippi or Alabama? A No sir.
- Q She is living now? A Yes sir.
- Q How old is she? A Forty seven.
- Q She claimed through which parent? A Mother.
- Q What was her mother's maiden name? A Minerva Shelton.
- Q Daughter of Rachel Shelton? A Yes sir.
- Q Did Minerva Shelton live in Mississippi or Alabama? A I don't know sir.
- Q You don't know any of your ancestors who did live in Mississippi or Alabama and who were recognized members of the Chectaw tribe of Indians and heads of families at that time? A I don't know sir.
- Q Did any of your Chectaw ancestors go from Mississippi or Alabama to the new Chectaw Nation, Indian Territory, between 1833 to 1836? A I don't know sir.

Q Did any of your Choctaw ancestors within six months from the ratification of the treaty of Dancing Rabbit Creek go to the United States Indian agent and tell him that they wanted to stay there and take land in Mississippi? A I don't know sir.

Q Did any of your Choctaw ancestors go from the old Choctaw Nation to the new Choctaw Nation in the Indian Territory between 1833 to 1838? A I don't know sir.

Q Did any of your Choctaw ancestors claim any land in Mississippi or Alabama or own any in 1830? A I don't know sir.

Q Did any of your Choctaw ancestors own or claim any land or any benefits whatever under any other article of the treaty of 1830 then article fourteen or under the supplement to that treaty? A I don't know sir.

According to the provisions of article fourteen of the Treaty of Dancing Rabbit Creek the United States Indian agent who lived in Mississippi at that time was instructed by the Government to register the names of all Choctaw Indians who came before him within six months after the ratification of that treaty and tell him that they wanted to stay in Mississippi and take land there. This United States Indian agent made a list called Ward's Register upon which appear the names of less than one hundred heads of families. His list contained only a small proportionate number of Choctaw Indians who came before him pursuant to the provisions of the fourteenth article of the treaty. This neglect of the agent to make a very complete list of all claimants under article fourteen caused the land to be taken from some of them and sold at Public Land Sale. This caused so many complaints on the part of the Indians that finally in 1837 by Act of Congress approved March 3, 1837 a Commission was appointed which went to the State of Mississippi and heard claimants under article fourteen of that treaty. In 1842 another Commission was appointed by Congress and this Commission also went to Mississippi and heard claimants under article fourteen of that treaty.

Q Do you know if any of your Choctaw ancestors appeared before either the Commission of 1842 or that of 1837 and claimed benefits under article fourteen of the treaty of Dancing Rabbit Creek? A I don't know.

The Act of Congress of approval August 23, 1842, provided that if any Choctaw Indian proved his claim before the Commission of 1842 as Choctaw Indians claiming under article fourteen of the treaty but if it also appeared that his land had been taken from him by the Government that he should be entitled to select land elsewhere in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be issued to him; these were called scrip.

Q Do you know that any of your Choctaw ancestors received any such scrip? A I have heard Rachel Shelton received scrip.

Q Have you any other evidence of this except what you have heard in the family? A No sir, not now.

Q You think you could produce other proof if given time? A Yes sir.

Q Do you know if she selected land under this? A No sir.

Reasonable time will be allowed this applicant in which to file

proper proof of the fact that any of his ancestors ever received any such scrip from the Government under article fourteen.

On the 31st day of October at the office of the Commission at Ateka, persons appeared for identification as Mississippi Choctaws all claiming through Rachel Shelton, whose card numbers are #3899 to 3917, inclusive.

Q Are all these persons relatives of yours and all claiming through the same ancestor you claim? A Yes sir.

There also appeared on the 28th, 29th and 30th of October, persons claiming or applying for identification as Mississippi Choctaws at the Ateka office of the Commission all claiming through the same common ancestor, Rachel Shelton.

Q Are they also relatives of yours? A Yes sir.

Q Do you want the testimony in all these cases, descendants of Rachel Shelton considered as applicable to your case? A Yes sir.

Q Do you understand or speak the Choctaw language? A No sir.

This applicant has the appearance physical characteristics of being descended from white parents; a medium dark complexion, blue eyes, brown hair. Does not speak or understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reports in full all proceedings had in the above entitled cause on November 1, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 19th day of November, 1901.

Charles Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.S.R. 3925.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

John W. Murphy,

Petty, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jeunie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
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Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glynn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

MCR 3925

COPY.

Muskogee, Indian Territory, November 20, 1905.

John W. Murphy,
Petty, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application for the identification of yourself and minor child, Verda L. Murphy, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall

Acting Commissioner.

No. 3925

For Identification as a Mississippi Choctaw.

Date

NOV 1 1901

Name John W. Murphy

Age 27

Blood Don't know

Post Office, Pelly, Texas,

Father: Mont. Murphy L.

Mother: Willetta M. " L

Claims through mother.

wife.

Lillie B. Murphy, w.

No claim for wife.

Children:

Verda L. Murphy, 9m.

Claims for self
and child

Stenographer

H. G. Harris

Choctaw MCR 3926

Jennie B. Tucker

See MCR 3878

MCR 3926

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 1, 1902.

3926

In the matter of the application of Jennie B. Tucker for the identification of herself and her two minor children as Mississippian Cheetaws.

John London attorney for applicant.

Jennie B. Tucker being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Jennie B. Tucker.
Q What is your age? A Twenty two.
Q What is your post office address? A Petty Texas.
Q How long have you lived there? A All my life.
Q Were you born there? A Yes sir.
Q What County is that? A Lamar County.
Q What is your father's name? A Mort Murphy.
Q He is living is he? A Yes sir.
Q What is your mother's name? A Willetta M. Murphy.
Q Is she living? A Yes sir.
Q Do you claim your Cheetaw blood through your mother? A Yes sir.
Q How much do you claim? A I don't know.
Q Has your mother ever been recognized in any way or enrolled as a member of the Cheetaw tribe of Indians by either the Cheetaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A Lamar County, Texas.
Q Do you remember the date? A April 27, 1871.
Q By a minister and under a license? A Yes sir.
Q Have you proof of the marriage of your father and mother to present here in this application of yours? A No sir.

(Attorney London says it will be furnished with the other s.)

- Q Are you married? A Yes sir.
Q What is your husband's name? A John A. Tucker.

- Q Is he a white man? A Yes sir.
- Q You don't make any claim for him then? A No sir.
- Q Have you children you want to make application for? A Yes sir.
- Q What is the name of the eldest? A Fannie M. Tucker.
- Q How old is Fannie? A Two years old.
- Q Next? A Addie L. Tucker.
- Q How old is Addie? A Three months old.
- Q Is that all? A Yes sir.
- Q You claim for yourself and two children, do you? A Yes sir.
- Q When were you married to your husband? A November 6, 1898.
- Q Where? A Petty, Lamar County, Texas.
- Q By a minister under a license? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.
- Q Is this the first application you have ever made for citizenship in the Choctaw Nation to either the Choctaw tribal authorities or the United States authorities? A Yes sir.
- Q Do you now come before the Commission for the purpose of identifying yourself and children as Mississippi Choctaws under article fourteen of the treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q Have you heard it read and explained a number of times before? A Yes sir.
- Q Do you care for a further explanation? A No sir.
- Q Now as you understand that article, having heard it read and explained to you or in your presence different times, do you know if any of your Choctaw ancestors complied or attempted to comply with any of the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A No sir.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachel Shelton.
- Q When was she born? A I don't know.
- Q Where? A I don't know.
- Q When and where did she die? A I don't know.
- Q Did she ever live in Mississippi or Alabama in the Choctaw Nation there? A I don't know.
- Q How much Choctaw blood did she have? A I don't know.
- Q Do you know what her maiden name was? A No sir.
- Q Never heard what her maiden name was? A No sir.
- Q Do you know what her husband's name was? A Jesse Shelton.
- Q Do you know his business or occupation? A Indian Trader.
- Q Was he a white man or Indian? A White man.
- Q But you don't know how much Choctaw blood she had? A No sir.
- Q How do you know she had any? A Just heard it.
- Q In the family? A Yes sir.
- Q You claim through your mother? A Yes sir.
- Q How old is she? A Forty seven.
- Q Did she ever live in Mississippi or Alabama? A No sir.
- Q Through which parent did she claim? A Mother.

- Q Q What was her mother's maiden name? A Yates.
- Q What was her given name? A Minerva.
- Q Did she live in Mississippi or Alabama? A No sir.
- Q Do you know when or where she was born? A No sir.
- Q Do you know when or where she died? A No sir.
- Q Minerva Yates was a daughter of whom? A Rachel Shelton.
- Q You don't go back any further than Rachel Shelton? A No sir.
- Q Can you tell about her father and mother? A No sir.
- Q Did any of your Choctaw ancestors to your knowledge own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian Agent Coxward, and tell him they wanted to stay in Mississippi and take land there? A I don't know.
- Q Did any of them go from the old Choctaw Nation to the new Choctaw Nation between 1833 to 1838? A I don't know.
- Q Did any of them claim any benefits or land under article fourteen of the treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors claim or receive any benefits what ever under any other article of the treaty of 1830 than article fourteen of the treaty of 1830 or under the supplement to that treaty? A I don't know.

According to the provisions of the fourteenth article of the treaty of 1830 the United States Indian agent to the Choctaw Indians in Mississippi or Alabama was required to make a list of the names of all Choctaw Indians who came before him within six months after the ratification of the treaty of Dancing Rabbit Creek and made declarations of intention to remain in Mississippi take land there and become citizens of the United States. These United States Indian agent made a list known as Ward's Register, which contains the names of only a small number of the total number of Choctaw Indians who actually appeared before this agent within six months as required by article fourteen of that treaty and told him that they wanted to stay in Mississippi and take land there. Because of his neglect in making proper list containing the names of these applicants a great many Indians who had lands and improvements there had both land and improvements sold by the Government at its Public Land Sale. This caused so many complaints on the part of the Indians that in 1837 by Act of Congress approved March 3, 1837 Congress appointed a Commission which went to Mississippi and heard all claimants who desired to come before it and made lists of the names of all those who appeared there. In 1842 another Commission was appointed by Congress for the same purpose and this Commission made lists of the names of all applicants who appeared before it under article fourteen of that treaty.

Q Do you know if any of your Choctaw ancestors appeared before either the Commission of 1837 or that of 1842 and claimed benefits under article fourteen of the treaty of 1830? A No sir.

The Act of Congress approved August 23, 1842, provided that if any claimant came before it claiming benefits under article fourteen of the treaty of Dancing Rabbit Creek and proved his claim

if it also appeared that his land had been taken from him by the Government it was decided that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be given to him; these certificates were called scrip

Q Do you know if any of your ancestors get any such scrip from the Government? Did you ever hear? A Yes sir.

Q Who got scrip from the Government? A Rachel Shelton.

Q Do you know anything farther than this that it is a rumor in your family? A No sir.

Q Have you any proof of that fact? A No sir.

Reasonable time will be allowed this applicant in which to file documentary evidence in support of this application which she makes for herself and two children.

On October 31st at the office of the Commission at Atoka, I.T., a number of persons made application for identification as Mississippi Choctaws claiming through Rachel Shelton as a common ancestor, who are represented by card numbers 3899 to 3917, inclusive.

Q Are these people all relatives of yours? A Yes sir.

On October 28th, 29th and 30th there appeared other persons claiming through Rachel Shelton.

Q Are they also relatives of yours? A Yes sir.

Q Do you want to have the testimony given in all these cases considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.

Q Do you speak Choctaw? A No sir.

Applicant has the appearance and general physical characteristics of being descended from white parentage. Blue eyes, medium dark complexion, brown hair. Has no knowledge of the Choctaw language and no knowledge of the compliance on the part of her ancestors with the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 1, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 19th day of November, 1901.

Clara Mitchell
Notary Public.

COPY.

COMMISSIONERS
HENRY L. DAWES.
TAMM DIXBY.
THOMAS B. NEEDLES.
C. R. BRACKENRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 3926.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Jennie B. Tucker,
Petty, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Beattie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine B. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry B. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, B. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Acting Chairman.

MOR 3926

COPY.

Muskogee, Indian Territory, November 20, 1905.

Jennie B. Tucker,
Petty, Texas.

Dear Madam:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application for the identification of yourself and two minor children, Fannie M. and Addie L. Tucker, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3926

For Identification as a Mississippi Choctaw.

Date _____

NOV -1 1901

Name Jeremie B. Tucker

Age 22

Blood Unit 1st Nov

Post Office, Pelly, Deyss.

Father: Mort. Murphy, C.

Mother: Willetta M. " i

Claims through mother
husband

J. A. Tucker. w.

No claim for husband.

Children:

Children: M. Tucker
Fannie ~~M. Tucker~~, 2
Addie L., " 3m

Claims for help &
children —

Biographies

Stenographer H. E. Hains

Choctaw MCR 3927

James M. Yates

See MCR 3878

MCR 3927

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

25927

In the matter of the application of James M. Yates Jr. for the identification of himself and his three minor children as Mississippi Choctaws.

John London attorney for applicant.

James M. Yates Jr. being duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A James M. Yates, Jr.
Q What is your age? A Thirty seven.
Q What is your post office address? A Marlow, Indian Territory.
Q How long have you lived there at Marlow? A I have lived near there two years.
Q Where were you born? A In Lamar County, Texas.
Q How long did you live in Texas? A About twenty six years. I lived there in Texas longer than that; I went from there to the Indian Territory three years ago.
Q You have lived in the Territory ever since at Marlow? A Yes sir.
Q What is your father's name? A J.M. Yates.
Q Is he living? A Yes sir.
Q What is your mother's name? A Elizabeth G. Yates.
Q Is she living? A Yes sir.
Q Through which parent do you claim your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A I don't know sir.
Q Has your father been before the Commission for identification? A Yes sir.
Q When? A Yesterday.
Q October 21, at Atoka? A Yes sir.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States in the Indian Territory? A No sir.
Q When and where were your father and mother married? A In Lamar County, Texas.
Q What day of the month and year? A I don't know.

Q By a minister and under a license? A Yes sir.
 Q You think you can produce evidence of their marriage? A Yes sir
 (It will be filed* says attorney John Londen.)

Q Are you married? A Yes sir.
 Q What is your wife's name? A Mattie M. Yates.
 Q Is she white woman? A Yes sir.
 Q Do you make any claim for her? A No sir.
 Q Have you any children that you want to make application for?
 A Yes sir.
 Q What is the name of the oldest? A Myrtle Yates.
 Q How old is Myrtle? A Nine.
 Q Next? A Ethel Yates.
 Q How old? A Five.
 Q Next? A Annell Yates. (A-n-n-e-l-l)
 Q Girl? A Yes sir.
 Q How old is Annell? A three.
 Q Is Mattie M. Yates the mother of these children? A Yes sir.
 Q You are the father? A Yes sir.
 Q You claim for them and yourself? A Yes sir.
 Q When and where were you married to your wife? A May 13, 1891
 Lamar County Texas.
 Q By a minister and under a license? A Yes sir.
 Q Have you your marriage license and certificate with you? A Yes
 (John Londen, attorney for applicant, says it will be filed.)

Q Is your name or the name of any of your children on any of the
 tribal rolls of the Choctaw Nation in the Indian Territory? A No
 sir.
 Q Have you ever made application for citizenship in the Choctaw
 Nation for yourself or children to the Choctaw tribal authorities?
 A No sir.
 Q Have you ever made application for citizenship in the Choctaw
 Nation for yourself and children to the Commission to the Five
 Civilized Tribes under Act of Congress of June 10, 1896? A No sir
 Q Have you ever been admitted or any of your children to citizen-
 ship in the Choctaw Nation by either the Choctaw tribal authori-
 ties, the Commission to the Five Civilized Tribes or United States
 Court in Indian Territory? A No sir.
 Q Is this the first application of any kind that you have ever
 made for enrollment as Choctaw citizens for you r self and children
 to any authority whatever? A Yes sir.
 Q Do you now come before this Commission for the purpose of being
 identified as Mississippi Choctaws claiming interests in land in
 the Choctaw Nation, in Indian Territory, under article fourteen
 of the treaty of 1830? A Yes sir.
 Q Do you understand that article of that treaty? A I think so.
 Q Have you heard it read and explained? A Yes, quite a number of
 times.
 Q Would you like a further reading and explanation of it? A No sir
 Q You waive an explanation of it now because you think you under-
 stand it sufficiently? A Yes sir.
 Q Do you know that any of your Choctaw ancestors ever complied
 or attempted to comply with the provisions of the fourteenth arti-
 cle of the treaty of 1830? A I don't know that they did.

- Q What was the name of your ancestor through whom you claim the right to be identified? A Rachel Shelton.
- Q What relation is she to you? A Great grandmother.
- Q How much Choctaw blood did she have? A I don't know.
- Q Did you ever hear in the family? A No sir.
- Q Do you know when and where she was born? A No.
- Q Do you know when and where she died? A No sir.
- Q Do you know whether or not she lived in the old Choctaw Nation in Mississippi or Alabama? A I don't know.
- Q Do you know whether her father or mother did? A I don't know.
- Q Through which parent did she claim her Choctaw blood? A I don't know.
- Q What was her maiden name? A I don't know.
- Q Do you know her husband's name? A No sir.
- Q What was his business? A He was-- Jesse Shelton it was-- he was an Indian trader.
- Q What was his blood, red or white? A White man.
- Q Did he live in Mississippi or Alabama? A I don't know.
- Q You claim through your father? A Yes sir.
- Q He claimed through which parent? A Mother. name
- Q What was her name? A Minerva Yates; her maiden name was Shelton
- Q Was Rachel Shelton her mother? A Yes sir.
- Q Did Minerva Yates ever live in Mississippi or Alabama? A I don't know.
- Q You don't know whether any of your ancestors lived in Mississippi or Alabama or were recognized members of the Choctaw tribe of Indians there? A I don't know.
- Q Did any of your Choctaw ancestors reside there in that old Nation in 1830 and were they heads of families there at that time? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of them go from Mississippi or Alabama the old Choctaw Nation to the new Choctaw nation in Indian Territory with the other Indians between 1833 to 1838? A I don't know.
- Q Did any of your Choctaw ancestors to your knowledge go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under article fourteen of the treaty of Dancing Rabbit Creek? A I don't know.
- Q Did they claim or receive any benefits whatever under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

In accordance with the provisions of the fourteenth article of the treaty of 1830 the United States Indian agent whose name was Col. Ward who lived in Mississippi in 1830 and 1831 was required by the Government to make a list of the names of all Choctaw Indians who appeared before him within six months from the ratification of that treaty of 1830 and told him that they wanted to stay in Mississippi and take land there. This United States Indian agent made a list called Ward's Register contains only a few of the names of the total number of applicants who appeared before him within six months after the ratification of the treaty of 1830 and made these declarations to him under that article of that treaty.

On account of his neglect to make a proper report of all applicants who came before him a great many Indians who held land in Mississippi upon which they had improvements lost both their land and improvements, the Government had taken these and sold them. This caused so many complaints among the Choctaw Indians that in 1837 by Act of Congress of March 3, 1837, a Commission was appointed by Congress which went to the State of Mississippi and heard claimants, all who desired to come before him under that article of that treaty and made lists of the successful claimants and all others making a complete list of all that came before him. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to Mississippi and heard claimant under that article of that treaty.

- Q Did any of your ancestors to your knowledge go before the Commission or that of 1842 or 1837 and claim benefits under article fourteen of the treaty of Dancing Rabbit Creek? A I don't know that they did. I have heard that they did.
- Q What have you heard? A Well, I have heard since I came here that they applied for lands.
- Q Since you came here? In the last two or three days? A Yes sir.
- Q You never heard that before? A No sir.
- Q Now who did you hear and what did you hear about that?
- A Well, I didn't hear that they received any benefits; that they applied.
- Q Well, who applied? A That Rachel Shelton did.
- Q Applied for what? A For lands in-- (applicant does not finish)
- Q You mean that you heard Rachel Shelton received scrip from the Government as a Choctaw Indian? A Yes sir.

The Act of Congress approved August 23, 1842, provided that if any claimant appeared before the Commission of 1842 and proved his claim under the fourteenth article if it also appeared that his land had been taken from him by the Government that he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that a certificate to that effect should be given; these certificates were called scrip.

- Q Do you know whether any of your Choctaw ancestors received any such scrip? A Yes sir.
- Q Is that what you refer to? A Yes sir.
- Q Have you any proof except what you have heard in your family and since you have been here before the Commission? A That's all.

Reasonable time will be allowed this applicant in which to introduce any proper testimony or evidence in support of this application which he makes for himself and children for identification as Mississippi Choctaws.

On the 31st day of October, 1901, there appeared at the Atoka office Indian Territory persons for identification as Mississippi Choctaws claiming through the same common ancestor, Rachel Shelton through whom you claim, which names are represented by Card Numbers 3899 to 3917 inclusive.

- Q Are these all related to you? A Yes sir.
- Q Is this the same ancestor through whom you claim? A Yes sir.

On the 28th, 29th, and 30th of October, 1901, there also appeared a number of persons for identification as Mississippi Choctaws who all claim through the same common ancestor, Rachel Shelton-

- Q Are all these people related to you? A Yes sir.
Q Do you want to have the testimony and records in their cases to be considered with yours when this is taken up in order that you may get the benefit of their testimony and records? A Yes sir.
Q Do you understand or speak the Choctaw language? A No sir.
Q Is there anything further you would like to say in support of this claim? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; brown eyes, medium dark complexion, brown hair. Has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hains being duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the above proceedings and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause.

Henry G. Hains

Subscribed and sworn to before me this 20th day of November, 1901.

Oliver Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3927.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

James M. Yates, Jr.,

Marlow, Indian Territory.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3829
James T. Perkins, et al.,	M C R 3830
Nannie A. Cross Bledsoe, et al.,	M C R 3831
Sallie Homer Morgan, et al.,	M C R 3832
Sallie Stanley, et al.,	M C R 3848
Mattie Miranda Justiss, et al.,	M C R 3849
William Shelby Perkins, et al.,	M C R 3850
Duain Sheb Cross, et al.,	M C R 3851
Eddie B. Cross,	M C R 3852
Susan Francis McGlasson, et al.,	M C R 3853
Nannie F. Gambill, et al.,	M C R 3854
Nellie W Cross,	M C R 3855
Joel A. Shannon, et al.	M C R 3856
Laura J. Duncan, et al.	M C R 3849
Rosie E. Stanley, et al.,	M C R 3850
Minnie A. Adshire, et al.,	M C R 3851
Nannie F. Akers, et al.,	M C R 3852
Alice Akers, et al.,	M C R 3853
Bessie Milford, et al.,	M C R 3854
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert I. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil J. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Muck Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamc Bixby.

Acting Chairman.

Registered.

MCR 3927

COPY:

Muskogee, Indian Territory, November 20, 1905.

James M. Yates, Jr.,

Marlow, Indian Territory.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1905, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

You are further advised that the application made by you for the identification of yourself and three minor children, Myrtle, Ethel and Annell Yates, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall
Acting Commissioner.

No. 3927

For Identification as a Mississippi Choctaw.

Date NOV 1 1901

Name James M. Yates, Jr.

Age 37 Blood Don't Know.

Post Office, Marlow. D.T.

Father; J. M. Yates, l.

Mother: Elizabeth C. " l.

Claims through Father.
wife. Mattie N. Yates. w.
No claim for wife.

Children:

Myrtle Yates, 9
Ethel " 5
Annell " (jnr) 3

Claims for self
and children

Stenographer

H. L. Harris

Choctaw MCR 3928

Napoleon S. Young

See MCR 3878

MCR 3928

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MEMPHIS, I.T. NOVEMBER 1, 1901.

2022

In the matter of the application of Napoleon S. Young for the identification of himself and his five minor children as Mississippi Choctaws.

John Lenden attorney for applicants.

Napoleon S. Young being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Napoleon S. Young.
Q What is your age? A Fifty nine.
Q What is your post office address? A Neosho, Missouri?
Q Any street number? A No sir.
Q How long have you lived in Neosho Missouri? A I have lived there about thirty five years.
Q Where did you live before that? A I first lived in Texas.
Q Where were you born? A In Lamar County, Texas.
Q You lived there how long? A Till I was four years old.
Q Then you went where? A To Missouri.
Q And have lived there since? A No sir, about seven years then went to Benton County, Arkansas.
Q How long did you live in Arkansas? A About seven years.
Q Where in Arkansas? A Benton County.
Q Then you went where? A To Texas.
Q Where did you live there? A On Lamar County
Q How long? A One year.
Q Then where? A Back to Missouri.
Q And have lived there ever since? A Yes sir.
Q What is your father's name? A Andrew S. Young.
Q Is he living? A No sir.
Q How many years last past have you lived in Missouri? Continuously now? And last past, not altogether.
A Well, since I went back to Missouri the last time--lets see--went there in '60 and have lived there about forty one years the last time, continuously.
Q Up to the present time? A Yes sir.

Q What is your mother's name? A Anna Young.

Q Is she living? A No sir.

Q Through which parent do you claim Choctaw blood? A My mother.

Q How much do you claim? A I don't know.

Q Was your mother ever recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in Indian Territory? A Not to my knowledge.

Q When and where were your father and mother married? A In Lamar County, Texas.

Q What date? A I don't know; I haven't---

Q Can you get evidence of their marriage? A I don't know; only from the witnesses.

(Attorney Lendon says they will furnish the license or evidence of some kind.)

Q Are you married? A Yes; been married twice.

Q Have you children by both wives you want to make application for? A Yes sir.

Q What is your first wife's name? A Olivia F. Young; Treup was her name.

Q She is dead now? A Yes sir.

Q She was a white woman? A Yes sir.

Q When and where did she die? A In Newton County, Missouri, in March 9, 1873.

Q Were you married again? A Yes sir.

Q What is your second wife's name? A Nancy Jane Young.

Q Is she living? A Yes sir.

Q White? A Yes sir.

Q Do you make any claim for this wife? A No sir.

Q Have you any children for whom you desire to make application?

A Yes sir.

Q Under age and unmarried? A Yes sir.

Q Have you any children by the first wife, Olivia F. Young?

A Yes, one.

Q What is her name? A It is a boy; Orville Young; (O-r-v-i-l-l-e)

Q How old? A He is thirty years old.

Q Well, I asked you if you had any children under age and unmarried by your first wife? A No I have none.

Q Are all your children by your second wife that you desire to make application for? A Yes sir.

Q Are they all under age and unmarried? A Yes sir.

Q Now, give the name of the eldest? A The eldest one is Van Young; V-a-n-.

Q How old is Van? A She is nineteen years old.

Q Next? A Nellie Young; N-e-l-l-i-e.

Q How old is Nellie? A She is fifteen.

Q Next? A Ethel.

Q How old is Ethel? A She is thirteen.

Q Now, the next? A Annie; (A-n-n-i-e), eleven years.

Q Next? A Joe; (J-o-e-).

Q Boy? A Boy; seven.

Q Any others? A That's all.

Q Is Nancy Jane Young the mother of these children? A Yes sir.

Q And you are their father are you? A Yes, sir.

Q When and where were you married to your second wife? Nancy Jane Young? A In Newton County, Missouri, on the 21st day of March, 1878.

Q By a minister and under a license? A Yes sir.

Q Have you that marriage license and certificate to file now here of your marriage to your second wife, Nancy Jane Young? A Yes.

(Attorney London says it will be filed with the other papers.)

Q Is your name or the name of your children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A Not to my knowledge.

Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities in Indian Territory for yourself and children? A No sir.

Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No sir.

Q Have you ever before this time sought to become enrolled as members of the Choctaw tribe or sought to obtain the enrollment of your children to either the Choctaw tribal authorities or the United States authorities? A No sir.

Q Do you now come before the Commission for the purpose of identifying yourself and children as Mississippi Choctaws claiming an interest in the Choctaw lands under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A I have heard it read and explained a number of times, I think I understand it.

Q Would you like to have it explained again? A No sir; I don't think I do.

Q Do you waive the explanation? A Yes sir.

Q Now as you have heard that article read and explained a good many times and you think you understand it do you know if any of your Choctaw ancestors ever complied or attempted to comply with any of the provisions of article fourteen of the treaty of 1830? A I don't.

Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Rachel Shelton

Q When and where was she born? A I don't know.

Q When and where did she die? A She died in Texas.

Q What place? A Lamar County.

Q On Red River? A I don't know.

Q Did she live in the old Choctaw Nation in Mississippi or Alabama? A No sir; not that I know of.

Q You don't know whether any of your ancestors lived in the old Choctaw Nation in Mississippi or Alabama in 1830 or whether they were heads of families at that time? A No sir.

Q What relation is this ancestor, Rachel Shelton to you? A Great-grandmother.

Q You claim through your father, Andrew S. Young? A Yes sir, no, I claim through my mother, Anna Young.

Q And her maiden name was Anna Shelton? A Yes sir.

Q Where did she die? A In Missouri.

Q Do you know what day? A Not of the month; but she died in '62.

Q How old was she at that time? A About fifty four when she died

Q She was born in 1794, then was she? A She was born in 1809.

Q Yes, that's correct, 1809, where was she born? A I don't know.

Q Did she ever live in the old Choctaw Nation in Mississippi or Alabama? A I don't know.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A Not to my knowledge.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent, Col. Ward that they intended to stay in Mississippi and take land there? A I don't know.

Q Did any of your Choctaw ancestors go from the old Choctaw Nation in Mississippi or Alabama to the new Choctaw Nation in Indian Territory with the other Indians between 1833 to 1838? A Not to my knowledge.

Q Did any of your Choctaw ancestors own or claim any land or any other improvements or benefits whatever under article fourteen of the treaty of 1830? A Not that I know of.

Q Did any of your Choctaw ancestors claim any benefits or land under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A Not that I know of.

In accordance with the provisions of article fourteen of the treaty of Dancing Rabbit Creek the United States Indian agent Col. Ward who lived in the Mississippi in 1830 was instructed by the Government to make a list of all Choctaw Indians who came to him within six months after the ratification of that treaty and told him that they intended to live in Mississippi and take land there. Col. Ward made a list called Ward's Register but it contains the names of only a few Indians who went before him within the time limited and told him that they wanted to stay in Mississippi and take land there. Col. Ward's negligence in making out a complete list of claimants who came before him under that article caused a good many Indians to lose their lands and improvements in Mississippi. This caused so much distress and so many complaints among the Indians that finally the matter was brought to the attention of Congress and by an Act approved March 3, 1837 a Commission was appointed which went to Mississippi and heard all claimants under article fourteen of that treaty and made lists of those who appeared before it. In 1842 another Commission was appointed by Act of Congress approved August 23, 1842, and this Commission went to Mississippi and heard claimants under article fourteen of that treaty.

Q Do you know whether any of your ancestors appeared before either the Commission of 1842 or that of 1837 and claimed benefits under article fourteen of that treaty? A I don't know.

The Act of Congress approved August 23, 1842, provided that if any Choctaw claimant appeared before the Commission of 1842 and proved his claim under the fourteenth article if it also appeared that his land had been taken from him that he should be entitled to a selection from either Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that a certificate to that effect should be given him; these certificates were called scrip.

Q Did any of your ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know.

Q Did you ever hear that Rachel Shelton did? A Yes, just recently.

Q You don't know anything about it, then? A No sir.

Q Have you any documentary evidence you would like to introduce now in support of this application? A No sir.

Q Would you like time? A Yes sir.

Reasonable time will be allowed this applicant in which to file documentary or any proper evidence in support of this application which he makes for himself and children for identification as Mississippi Choctaws.

Q Do you speak or understand the Choctaw language? A I don't understand or speak the Choctaw language.

On the 31st day of October, 1901, a number of persons appeared before the Commission for identification as Mississippi Choctaws at its office in Ateka, Indian Territory, all claiming through the same common ancestor, Rachel Shelton and who are represented by the following card numbers, from 3899 to 3917, inclusive.

Q Are these people relatives of yours? A Yes sir.

Q Are the people relatives of yours who appeared before the Commission at Ateka, to be identified on the 28th, 29th and 30th of October, 1901, and claimed through the same common ancestor Rachel Shelton? A Yes sir.

Q Do you want to have their testimony and records considered with yours so that you may get the benefit of theirs? A Yes sir.

--o-o-o--o-o--o-o-o--o-o--o--

Applicant has the appearance and physical characteristics of being ~~Brown hair and~~ ~~whitish parents~~ ~~white eyes~~, medium-dark-complexion---descended from white parents: blue eyes, medium dark complexion, brown hair and whiskers somewhat gray; he has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

--o-o-o-o-o-o-o-o-o-o-o-o--

Henry G. Hains being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the above and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause.

Henry G. Hains

Subscribed and sworn to before me this 20th day of November, 1901.

Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 3923.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Napoleon S. Young,

Heosho, Missouri.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willettta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sadie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mammie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Registered.

Acting Chairman.

NOV 20 1905

COPY.

Waukegan, Indian Territory, November 20, 1905.

Napoleon S. Young,
Neosho, Missouri.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and five minor children, Van, Nellie, Ethel, Annise and Joe Young, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. O. Beall,
Acting Commissioner.

No. 3928

For Identification as a Mississippi Choctaw.

Date Nov 7 1901

Name Napolron J. Young

Age 59 Blood don't know

Post Office, Measho, Mo.

Father: Andrew J. Young, d

Mother: Anna Young d.

Claims through mother
wife, (1) Olivia, F. Young,
(d), white

wife (2) Nancy J. " b. w.
No claim for 2nd wife.

Children:

~~Willie Young~~

~~Henry~~

Van Young 19

Mellie " 15

Ethel " 13

Annie " 11

Joe " (boy) 7

Claims for self &
children

Stenographer H. B. Hains

Choctaw MCR 3929

Robert S. Hilburn

See MCR 3878

MCR 3929

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 1, 1902.

#3924

In the matter of the application of Robert S. Hilburn for the identification of himself and his two minor children as Mississippi Choctaws.

John Lenden attorney for applicant.

Robert S. Hilburn being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Robert S. Hilburn.;(H-i-l-b-u-r-n)
Q What is your age? A Fifty six, the 22nd of last September.
Q What is your post office address? A Shannen, Texas.
Q How long have you lived there? A I have lived there twenty four years.
Q Where were you born? A In Red River County, Texas.
Q Have you always lived in Texas? A No sir.
Q How long did you stay in Red River County? A Well, I can't say my father lived there when I was quite young.
Q About how long, do you think? A Probably may have been two years old.
Q Where did you go to from there? A Well, my father must have left Red River when I was two or three years old and he went to Benton County, Arkansas.
Q You went with him? A Yes sir.
Q How long there were you? A I can't tell you I was young.
Q In Arkansas? Yes and in Missouri too.
Q Finally you went to Texas? A Yes sir, in 1874 I went to Texas
Q And stayed there ever since? A Yes sir.
Q What is your father's name? A Francis M. Hilburn.
Q Is he living? A No sir.
Q What is your mother's name? A Mary M. Hilburn.
Q She living? A No sir.

- Q Through which parent do you claim Choctaw blood? A Mother.
- Q How much Choctaw blood do you claim? A I don't know.
- Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in Indian Territory? A I don't know.
- Q Do you know when and where your father and mother were married? A Only what I have been told; they was married in Red River County in Texas.
- Q Remember the date? A No sir, I don't; we have a family record of it though.
- Q You think you can prove that if given time? A Yes sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Fannie J. Hilburn.
- Q White woman? A Yes sir.
- Q Do you make any claim for her? A No sir.
- Q Have you any children you want to make application for? A Yes sir.
- Q What is the name of the oldest? A Edward Hilburn.
- Q How old is he? A Twenty.
- Q Next? A Mary Hilburn.
- Q How old? A Fourteen.
- Q Next? A That's all; just two.
- Q Is Fannie J. Hilburn the mother of these two children? A Yes sir.
- Q You are the father? A Yes sir.
- Q You claim for yourself and them? A Yes sir.
- Q Were you ever married before? A No sir.
- Q Was she ever married before she married you? A No sir.
- Q Have you your marriage license and certificate? A No sir.
- Q When and where were you married to your wife? A In '74, the 4th day of November, in Barry County, Missouri.
- Q You haven't the license? A No sir; they didn't issue licenses then; they recorded them.
- Q Well, you can get proof of the marriage? A Yes sir.
- Q Is your name or the name of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities for yourself and children? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself or children to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.
- Q Have you ever before this time made application for citizenship in the Choctaw Nation either for yourself or children to either the Choctaw tribal authorities or the authorities of the United States? A No sir.
- Q Do you now come before this Commission for the purpose of being identified as Mississippi Choctaws, yourself and children, under article fourteen of the treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A I think I do.
- Q Have you heard it read a number of times? A Yes sir.
- Q Do you waive the explanation now? A Yes sir.

- Q Now, if you have heard this article read and explained a number of times do you know if any of your Choctaw ancestors ever complied or attempted to comply with the provisions of that article of that treaty? A I don't know.
- Q What was the name of your ancestor who lived in Mississippi in 1830? A Rachel Shelton.
- Q When and where was she born? A I don't know.
- Q When and where did she die? A Well, I don't know of my own knowledge.
- Q You don't remember? A No sir.
- Q Do you know whether she lived in the old Choctaw Nation in Mississippi or Alabama? A I don't know.
- Q Do you know whether any of your Choctaw ancestors lived in the old Choctaw Nation in Mississippi or Alabama in 1830 or any time before that? A I don't know.
- Q -or whether any of them were heads of families there at that time? A I don't know.
- Q What was Rachel Shelton's father's name? A I don't know only what we have heard them speak about.
- Q Well have you heard? A Rachel Harris I have heard.
- Q Rachel Shelton- did she speak Choctaw? A I don't know sir.
- Q Did she have a Choctaw name? A I don't know.
- Q Do you know whom she married? A Jesse Shelton.
- Q A white man? A Yes sir.
- Q Do you know his business or occupation? A I have heard through my relations that he was an Indian trader.
- Q You make no claim through him then? A No sir.
- Q You claim through your mother? A Yes sir.
- Q What was her maiden name? A Marietta Shelton.
- Q Was her mother Rachel Shelton? A Yes sir.
- Q Did your mother ever live in Mississippi or Alabama? A I don't know.
- Q How old would she be if living now? A Seventy.
- Q You don't know where she was born? A Only in the record I saw the other day.
- Q Where? A Hemstead, Arkansas, 1831.
- Q Where did you see that record? A At Atoka.
- Q Among the files there of the Commission? A No sir, I saw it among our records, the old Bible records.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your ancestors within six months from the ratification of the treaty of 1830 tell the United States Indian agent, Col. Ward, that they intended to stay in Mississippi, take land there and become citizens of the States? A I don't know.
- Q Did any of them go from the old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation, Indian Territory, between 1833 to 1838? A I can't say.
- Q Did any of your Choctaw ancestors own or claim any land or any other benefits under the fourteenth article of the treaty of 1830 in Mississippi? A I don't know.
- Q Did they claim any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of 1830 sometimes called the Treaty of Dancing Rabbit Creek was ratified on the 24th day of February, 1831, and according to the fourteenth article of that treaty all Indians who stayed back there and who are now known as Mississippi Choctaws

were required within six months after the ratification of the treaty of 1830 to go to the United States Indian agent and tell him that they wanted to stay in Mississippi and take land there. Col Ward was required also by the Government to make a list of those people who did that; he made a list called Ward's Register which contains the names of only a few of the names of claimants who did apply under article fourteen of that treaty. This negligence on his part caused many Indians to lose their land upon which they were located and they lost both land and improvements. This caused a great many complaints among the Indians and so Congress in 1837 appointed a Commission by Act of Congress of March 3 and this Commission went to the State of Mississippi and heard claimants under that article of that treaty and made lists of all who appeared before it. In 1842 another Commission was appointed by Congress for the same purpose and this Commission also heard claimants and made lists.

Q Did any of your ancestors go before either of these Commissions and claim benefits under article fourteen of that treaty? A I don't know.

The Act of Congress approved August 23, 1842, provided that if any claimant proved his claim before that Commission and proved his claim under article fourteen and if it also appeared that his land had been taken from him previously by the Government that he should be entitled to select land in either Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be issued to him; these certificates were called scrip.

Q Do you know if any of your Choctaw ancestors received any such scrip from the United States Government under that article before the Commission of 1842? A I have heard Rachel Shelton did.

Q Did you hear anything more than that? A No sir; since I came to Atoka.

Q That's only just the last two or three days? A Yes sir.

Q Previous to that you never heard of it? A No sir.

Q Have you any evidence of that except on hear-say; which came to you in the last two or three days through your relatives? A I think there is.

Q You think you can get it if time is given you to do so? A Yes.

Reasonable time is allowed this applicant in which to produce evidence or proper proof in support of his application for himself and minor children for identification as Mississippi Choctaws.

On the 31st day of October, 1901, a number of persons appeared before the Commission at its Office at Atoka, I.T. all claiming through the same common ancestor, Rachel Shelton, the same ancestor through whom you claim- A Yes sir.

Q The 17 numbers are from 3899 to 3917 inclusive. There also appeared for identification as Mississippi Choctaws on the 28th, 29th and 30th October, 1901 other people.

-6-

Q Are these people all related to you? A Yes sir.
Q This is the same common ancestor that you claim through? A Yes sir.
Q Do you want to have their testimony considered with yours in order that you may get the benefit of what they have already sworn to? A Yes sir.
Q Do you speak or understand the Choctaw language? A No sir.
Q Is there anything further you want to say now? A No.

Examination by the Commission:

Q Have you been living with the balance of your relatives the most of the time? A No sir.
Q You have lived away from them? A Yes, most of my life.
Q That's all.

By the Commission:

This applicant has the appearance and physical characteristics of being descended from white parentage.; blueish gray eyes, medium light complexion, brown mustache, brown hair somewhat gray; he does not speak or understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

-O-O-O-O-O-O-O-O-O-

Harry G. Hains being duly sworn testified that the above and foregoing is a full, true and correct transcript of his stenographic notes as stenographer to the Commission to the Five Civilized Tribes in the above cause.

Harry G. Hains

Sworn and Subscribed to before me this 20th day of November, 1901.

Clara Mitchell Wood
Notary Public.

COPY

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. REEDLES,
C. B. BRACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. C. R. 3929.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 28, 1903.

Robert S. Kilburn,
Shannon, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 3925
Laura Brackeen, et al.,	M C R 3926
Willet Shannon, et al.,	M C R 3927
Malinda Malaney, et al.,	M C R 3978
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultz,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. B. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine R. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May B. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Bixby.

Registered.

Acting Chairman.

MOR 3929

COPY.

Muskogee, Indian territory, November 20, 1905.

Robert S. Hilburn,
Shannon, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and two minor children, Edward and Mary Hilburn, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED

W. C. Ball
Acting Commissioner.

For Identification as a Mississippi Choctaw.

Date

NOV 1 19.

Name Robert S. Hilburn

Age 56

Blood Don't know

Post Office, Shannon, Texas

Father: Francis M. Hilburn, d

Mother: Mary E. " d

Claims through mother
 wife, Nannie J. Hilburn, w.
 No claim for wife.

Children:

Edward Hilburn, 20

Mary " 14

Claims for self and
 children.

Stenographer

H. L. Hains.

Choctaw MCR 3930

William N. Yates

See MCR 3878

MCR 3930

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
KIM MUSHOCKE, I.T. NOVEMBER 2, 1902.

1920

In the matter of the application of William H. Yates for the identification of himself and his two minor children as Mississippi Choctaws.

John London attorney for applicant.

William H. Yates being duly sworn testified as follows:

Examination by the Commission:

- Q. What is your name? A. William H. Yates.
- Q. What is your age? A. Forty.
- Q. What is your post office address? A. Duke, Oklahoma.
- Q. How long have you lived there? A. Four years.
- Q. Where did you live before that? A. In Collinsville County, Texas, four years.
- Q. Where did you go from to Collinsville? A. Lamar County, Texas.
- Q. How long were you there? A. Till I was twenty eight.
- Q. From there you went where? A. To Collinsville County, Texas.
- Q. And then to Oklahoma? A. Yes sir.
- Q. What is your father's name? A. James M. Yates.
- Q. Is he living? A. Yes sir.
- Q. What is your mother's name? A. Elizabeth C. Yates.
- Q. Is she living? A. Yes sir.
- Q. Through which parent do you claim your Choctaw blood? A. Father.
- Q. How much Choctaw blood do you claim? A. I don't know.
- Q. Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in Indian Territory? A. Not to my knowledge.
- Q. Have you proof of the marriage of your father and mother? A. I can get it; I think it can be established.
- Q. When and where were they married? A. In '60; I don't know the day of the month.
- Q. You think you can furnish proof of the marriage? A. Yes sir.

- Q Are you married? A Yes sir.
 Q Is your wife living? A Yes sir.
 Q What is her name? A Mamie J. Yates.
 Q Is she a white woman? A Yes sir.
 Q You make no claim for her? A No sir.
 Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Two.
 Q What is the name of the eldest? A Mary R. Yates.
 Q How old is she? A Nine.
 Q Next? A Marie n L. Yates.
 Q How old is she? A Eight.
 Q That's a girl? A Yes sir; both girls.
 Q Is Mamie J. Yates the mother? A Yes sir.
 Q You are the father? A Yes sir.
 Q You make application for yourself and them? A Yes sir.
 Q Was she ever married before she married you? A No sir.
 Q Were you ever married before? A No sir.
 Q When and where were you married? A Petty, Lamar County, Dec. 5th, 1890.
 Q Have you your marriage license and certificate? A I think our attorney has them.
 Q You intend to file them? A --

(Attorney, John London, says they will be filed together.)
 Reasonable time for this purpose will be allowed.)

- Q Is your name or the name of your children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
 Q Have you ever made application to the Choctaw tribal authorities for yourself and children for admission into the Choctaw tribe?
 Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896?
 A No sir.
 Q Have you or your children ever been admitted to a citizenship in the Choctaw Nation by either the Choctaw tribal authorities the Commission to the Five Civilized Tribes or by United States Court in Indian Territory? A No sir.
 Q Is this the first application that you have ever made of any kind for enrollment as a member of the Choctaw Nation for yourself and children either to the Choctaw tribal authorities or the United States authorities? A Yes sir.
 Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw and for your children as Mississippi Choctaws claiming rights under article fourteen of the treaty of 1830? A Yes sir.
 Q Do you understand that article of that treaty? A No sir.

In 1830 the Treaty of Dancing Rabbit Creek was entered into between the Choctaw tribe of Indians who occupied the old Choctaw Nation in Mississippi and Alabama and the United States Government. The object of that treaty was the removal of all the Choctaw Indians who lived in Mississippi and Alabama from the old Choctaw Nation to the new Choctaw Nation, Indian Territory. Before the treaty was signed it became known that a great many Choctaws would refuse to go to the Choctaw Nation, Indian Territory. In order to protect their interests article fourteen was put into the treaty. Article fourteen reads as follows: "Each Choctaw head of a family

being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q You think you understand that article of that treaty? A Yes sir/
 Q How did any of your Choctaw ancestors comply or attempt to comply with the provisions of that article as read to you? A Not to my knowledge.
 Q What was the name of your ancestor through whom you claim the right now to be identified as a Mississippi Choctaw? A Rachel Shelton.
 Q How much Choctaw blood did she have? A I don't know.
 Q Never heard in the family? A No sir.
 Q Did she ever live in the old Choctaw Nation in Mississippi or Alabama? A I don't know.
 Q Do you know when she was born? A No sir, nor where.
 Q Do you know when or where she died? A No sir.
 Q Did she have a Choctaw name or speak the Choctaw language? A I don't know.
 Q Do you claim through your father? A Yes sir.
 Q And he claims through which parent? A His mother.
 Q What was her name? A Minerva Yates; Shelton was her maiden name.
 Q Rachel Shelton was his grandmother? A Yes sir.
 Q What was Rachel Shelton's mother's name? A I don't know.
 Q What was Rachel Shelton's father's name? A I don't know.
 Q When was she born? A I don't know.
 Q You don't know how old she would be if she were living now? A No sir.
 Q Did you ever hear that any of your Choctaw ancestors lived in Mississippi or Alabama and were heads of families there at that time? A No sir.
 Q Did any of your Choctaw ancestors ever own any improvements on land in Mississippi or Alabama in 1830? A I don't know that they did.
 Q Did any of your Choctaw ancestors go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there and become citizens of the States? A I don't know.
 Q Did any of your Choctaw ancestors go from the old Choctaw Nation to the new Choctaw Nation, Indian Territory with the other Indians between 1833 to 1836? A I don't know.

Q Did any of them own any land or claim any under article fourteen of the treaty of 1830? A Not that I know of.
Q Did any of them own any land or claim any or any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

According to the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek the United States Indian agent Col. Ward, who lived in Mississippi in 1830 was instructed to make a list of the names of all Choctaw Indians who claimed under article fourteen of the treaty of 1830 and who went to him within six months from the ratification of that treaty and told him that they wanted to stay in Mississippi and take land there. This United States Indian agent made a list, called Ward's Register, which contains the names of less than one hundred heads of families who appeared before him, whereas thousands instead of hundreds who had a right to take lands in Mississippi appeared before him and announced their determination to do so; the leaving of these names of the list made by him caused a great deal of distress among the Indians so that in 1837 by Act of Congress approved March 3, that year Congress appointed a Commission which went to Mississippi and heard claimants under article fourteen of that treaty and made lists of the names of those who appeared before it. In 1842 Congress appointed another Commission for the same purpose which went to Mississippi heard claimants under article fourteen.

Q Do you know whether any of your Choctaw ancestors appeared before either of these Commissions, that of 1837 or that of 1842, and claimed benefits under article fourteen of the treaty of 1830? A No sir.

Q Do you know if any of your ancestors received any scrip from the United States Government as Choctaw Indians? A I don't know; I have heard that lately.

Q Did they receive it from the Government under Act of Congress approved August 23, 1842? At that time if a claimant appeared before the Commission of 1842 and proved his claim, but if it was shown that he had his land taken from him he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be given to him; these certificates were called scrip.

Q Did you hear anything about Rachel Shelton receive such scrip? A I have heard it lately since I came here.

Q Do you think you can prove that fact if given time? A Yes sir.

Reasonable time will be allowed this applicant in which to substantiate all claims which he makes for himself and children for identification as Mississippi Choctaws.

On October 31st, 1901, a number of persons appeared for identification as Mississippi Choctaws before the Commission at Atoka, represented by card numbers, 3899 to 3917, inclusive, who claim through the same common ancestor, Rachel Shelton; and also on the 28th, 29th, and 30th a number of other persons appeared all claiming through Rachel Shelton as a common ancestor.

Q Are these all related to you? A Yes sir.

Q Do you want to have their testimony taken into consideration with yours so that you may get the benefit of theirs? A Yes sir.
Q Do you speak or understand the Choctaw language? A I don't.
Q Is there anything more you want to say? A No sir.

- - - - -

This applicant has appearance and general physical characteristics of being descended from white parents; bluish gray eyes, medium dark complexion, brown hair; does not understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

- - - - -

Henry G. Hains being duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 1, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 20th day of November, 1901.

Clara Mitchell Wood
Notary Public.

COPY.

COMMISSIONERS

HENRY L. DAWES.
TAMM BIRBY,
THOMAS B. NEEDLES,
C. R. BREGKINRIDGE.

ALLISON L. AVLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 3930.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

William H. Yates,

Duke, Oklahoma.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3549
Rosie E. Stanley, et al.,	M C R 3550
Minnie A. Adshire, et al.,	M C R 3551
Nannie F. Akers, et al.,	M C R 3552
Alice Akers, et al.,	M C R 3553
Bessie Milford, et al.,	M C R 3554
Mary L. Crook, et al.,	M C R 3869
Lillian Bedford, et al.,	M C R 3870
Roberta I. Coleman, et al.,	M C R 3871
Jessie Crook Smith, et al.,	M C R 3872
John W. Crook, et al.,	M C R 3873
Charles O. Crook, et al.,	M C R 3874
Walter J. Crook, et al.,	M C R 3875
Stella W Schultze,	M C R 3876
Marvin B. Crook,	M C R 3877
Texanna Jones,	M C R 3879
Fannie Long,	M C R 3880
Thomas J. R. Yates, et al.,	M C R 3881
Alice I. Compton,	M C R 3882

Jesse R. Shelton, et al.,	M C R 3883
Eli J Shelton,	M C R 3884
Ethel Pearl Shelton,	M C R 3885
Irene Thomas, et al.,	M C R 3886
Florence Carson,	M C R 3887
Lola A. Haraway, et al.,	M C R 3888
Ada A. Shelton, et al.,	M C R 3889
Idella Garland, et al.,	M C R 3890
Maud M. Shipe,	M C R 3891
James M. Yates,	M C R 3892
Victor L. McGlasson, et al.,	M C R 3893
Cora Therese Porter,	M C R 3894
Cora Estelle Lindsay, et al.,	M C R 3895
Georgia B. Porter,	M C R 3896
Johnnie G. Berry et al.,	M C R 3897
Marie F. Kidd, et al.,	M C R 3898
Clarence Greenwood Hilburn,	M C R 3899
Willetta M. Murphy, et al.,	M C R 3900
Emma G. Stafford, et al.,	M C R 3901
Melville Yates, et al.,	M C R 3902
Walter A. Jones, et al.,	M C R 3903
Verner D. Jones,	M C R 3904
Arthur L. Jones, et al.,	M C R 3905
Herbert I. Jones,	M C R 3906
Gus B. Shelton,	M C R 3907
Jack R. Garland, et al.,	M C R 3908
Nannie L. Garland,	M C R 3912
Joella G. Garland,	M C R 3913
Leda M. Garland,	M C R 3914
Mary Gertrude Grant,	M C R 3915
Lucinda A. Johnson, et al.,	M C R 3916
Joseph R. Johnson,	M C R 3917
Wirtter R. Garland, et al.,	M C R 3922
Lamartine B. Latimer, et al.,	M C R 3923
Homer Murphy, et al.,	M C R 3924
John W Murphy, et al.,	M C R 3925
Jennie B. Tucker, et al.,	M C R 3926
James M. Yates, jr., et al.,	M C R 3927
Napoleon S. Young, et al.,	M C R 3928
Robert S. Hilburn, et al.,	M C R 3929
William N. Yates, et al.,	M C R 3930
Thomas M. Murphy,	M C R 3964
Thomas, S. Young, et al.,	M C R 3971
William C. Hilburn,	M C R 3972
Robert Clarence Montgomery,	M C R 3973
Henry R. Latimer, et al.,	M C R 3974
Fannie Montgomery, et al.,	M C R 3975
Harvey O. Jones,	M C R 3976
Eugene S. Wood,	M C R 3977
Porter A. Bywaters,	M C R 3978
Malcolm W. Forbes,	M C R 3979
Napoleon W. Young, et al.,	M C R 3980
May R. Rush, et al.,	M C R 3981
Lena C. Strickland, et al.,	M C R 3982
R. Shelton Bywaters,	M C R 3983
Frank E. Wood,	M C R 3984
Alice P. Bywaters, et al.,	M C R 3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Laura Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtie L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrile Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgin Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary B. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totey Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tams Bixby.

Registered.

Acting Chairman.

REFER IN REPLY TO THE FOLLOWING:

MCR 3930

**DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.**

Muskogee, Indian Territory, November 20, 1905.

**William H. Yates,
Duke, Oklahoma.**

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the several applicants in the consolidated Mississippi Choctaw case of Maggie Coleman, et al.

The application made by you for the identification of yourself and two minor children, Mary R. and Marion L. Yates, as Mississippi Choctaws, was consolidated with and made a part of the Maggie Coleman case.

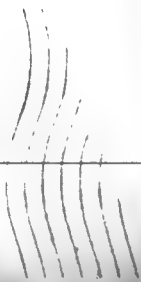
Respectfully,

A handwritten signature in cursive script, appearing to read "W. O. Dyer".

Acting Commissioner.

FILED
JAN - 6 1906
COMMISSION TO FIVE TR

CA 10



Department of the Interior.

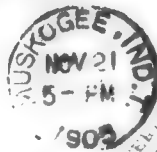
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

3930

Returned to me

~~William N. Yates,~~

Duke, Oklahoma.



DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
FILED
JAN 5-1906

Returned

No. 3930

For Identification as a Mississippi Choctaw.

Date

NOV 7 1901

Name *William N. Yates*

Age 40

Blood desc. *known*

Post Office, *Duke, Okla.*

Father; *James M. Yates, l.*

Mother: *Elizabeth C. Yates, l.*

Claims through

father

wife.

Mamie J. Yates, w.

No claims for ^{wife} ~~her~~ ~~children~~

Children:

Mary R. Yates, (age) 9.

Marion L. " (age) 8

Claims for self & them -

Stenographer *H. S. Hains.*

Choctaw MCR 3931

Della Rambin

See MCR ^U4895

MCR 3931

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T. NOVEMBER 1, 1901?

3931

In the matter of the application of Della Rabin for identification as a Mississippi Choctaw.

Applicant represented by J.E. Arnold.

Della Rabin being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Della Rabin; (R-a-b-i-n.)
Q What is your age? A Seventeen.
Q Are you married? A Yes sir.
Q What is your post office address? A Bayou LaLache, Louisiana.
Q How long have you lived there? A About four years I guess.
Q Where were you born? A In Gadsden, in DeSoto Parish, Louisiana.
Q You lived there how long? A I was born and raised there.
Q And then you went to Bayou LaLache? A Yes sir.
Q What is your father's name? A Joe Rabin.
Q Is he living? A No sir.
Q Is your mother living? A Yes sir.
Q What is her name? A Elizabeth Rabin.
Q Through which parent do you claim Choctaw blood? A On my father's side.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No sir.
Q When and where were your father and mother married? A In DeSoto Parish in Louisiana.
Q Do you remember the date? A No sir.

Q By a minister and under a license? A Yes sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Mitchell L. Rabin.

Q Is he a white man? A Yes sir.

Q You don't make a ny claim for him, then? A -----

(Attorney for applicant says he will appear for himself; he has Indian blood but he will appear for himself.)

Q Have you children you want to make application for? A No sir.

Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.

Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.

Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? That is, did you ever come before the Dawes Commission before this, five years ago? A No sir.

Q Were you ever admitted as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by United States Court in Indian Territory? A No sir.

Q Is this the first application you have ever made for citizenship in the Choctaw Nation to either the Choctaw tribal authorities or the United States authorities in Indian Territory? A Yes sir.

Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming under article fourteen of the treaty of 1830? A I do.

Q You don't understand that article, do you, very well? A No sir.

Q Do you know what a treaty is? A No sir.

Q Do you know what a contract is in writing where two people sign a contract and agree to do certain things? A Yes sir.

Q A treaty is a Contract in writing only it is made between two or more Nations instead of people and it is called a treaty for that reason; that's the name they gave it. In 1830 such a treaty was made between the Choctaw Indians living in the old Choctaw Nation in Mississippi and Alabama and the United States Government; the object of that treaty was to get all the Indians to come from one Nation to the other; from the Nation East of the Mississippi River to this Indian Territory West of the Mississippi River; but before the treaty was signed it was known that a good many Indians wouldn't go and so to look after them, to protect their interests this article was put into the treaty; it was called article fourteen. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent; if they reside upon said lands intending to become citizens

of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizens but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you understand that article now of that treaty do you think?

A Yes, I guess so.

Q Do you know whether any of your ancestors, I mean your grandfather, grandmother, great-grandfather or great-grandmother, your father or mother complied or attempted to comply with the provisions of article fourteen as mentioned therein? Did you ever hear about that? A No sir; I don't know about that.

Q What was the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? Who was that relative of yours way back there that was a Choctaw Indian?

A Grandmother, Ma-ta-wah;-- Roblo--

Q What was that name? A Mary Antoinette Robleau.

Q What relation was she to you? A Grandmother.

Q How much Choctaw blood did she have? A I don't know.

Q Did she live in Mississippi or Alabama? A No sir.

Q You claim your Choctaw blood through your father, don't you?

A Yes sir.

Q How old would he be now if living? A I can't tell.

Q When was he born? A Can't tell you.

Q How much Choctaw blood did he have? A Can't tell you.

Q He claimed his Choctaw blood through which parent? A His mother.

Q What was her name? A Mary Antoinette Roble (Robleau).

Q Don't you know whether she lived in Mississippi or Alabama?

A No sir.

Q Or who were her father and mother? A No sir.

Q Do you know whether they ever lived in Mississippi or Alabama? No sir.

Q Did any of your Choctaw ancestors from whom you claim the right to be identified lived in Mississippi or Alabama in 1830 and were they heads of families there at that time? A No sir.

Q Did any of them go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory between 1833 to 1838? A I don't know.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent in Mississippi that they intended to stay there and take land? A I can't tell.

Q Did any of your ancestors own any improvements on land in Mississippi or Alabama in 1830? A I can't tell you.

Q Did any of them, if Choctaw Indians, own or claim any land under article fourteen of the treaty of 1830 in Mississippi or Alabama?

A I can't tell you.

The treaty of 1830 was ratified February 24th, 1831, and article fourteen which was incorporated into it provided that all Choctaw Indians who stayed back there in Mississippi or Alabama must go to the United States Indian agent within six months after the

ratification of the treaty of 1830 and told him that they wanted to stay in Mississippi, take land there and become citizens of the States, then they could take land in Mississippi, or Alabama, if they wished and after they lived on it five years could have a deed from the Government and they might afterwards go to the Indian Territory and become citizens there. The United States Indian Agent failed to put down on his list, known as Ward's Register, the names of most of the Choctaw Indians who came before him at that time and the result was that many who had lands in Mississippi and Alabama lost the lands and improvements upon them because they were sold by the Government. This caused many complaints among the Indians so that in 1837 by Act of Congress of March 3 that year a Commission was appointed by Congress and this Commission went to Mississippi and heard all claimants who came before it claiming under article fourteen of that treaty and made lists of the names of those who came there. In 1842 Congress appointed another Commission to go to Mississippi and this Commission also heard claimants under article fourteen of the treaty of 1830 and made lists of the names of those who came before it.

Q Did you ever hear that any of your Choctaw ancestors went before either of these Commissions and claimed benefits under article fourteen? A No sir.

The Act of Congress approved August, 23, 1842, provided that if any Choctaw Indian went before it and proved to that Commission of 1842 that he had rights under article fourteen of that treaty if it also appeared that he had lost his land by its having been taken from him by the Government some time previously that he should be entitled to select lands either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that he should receive certificates to that effect; these certificates were called scrip.

Q Do you know whether any of your ancestors got any such scrip from the Government as Choctaw Indians? A No sir.

Q Do you think you could get proof of that if I gave you time to put in some papers here? A Yes sir.

Reasonable time will be allowed this applicant in which to present documentary evidence in support of this application or any other evidence proper to come before this Commission.

Q Is there anything more you wanted to say about this claim? A No sir.

Q What are the names of your relatives who have appeared?

A Sylvester Rambin. (43712) He is my step-father.

Q How do you spell his name? A R-a-m-b-i-n.

Q When he came before the Commission his name was spelled R-a-m-d-i-n-; that is wrong? A Yes, it should be just like mine.

Q Did any other of your relatives appear before the Commission?

A Yes sir.

Q What are the names? A Ed Perier.
Q Any others? A Freudhomme and Dupres.
Q They were witnesses in the case of Sylvester Hamdin et al.
(Attorney for applicant says they want the testimony of these
to be considered with this case; it is granted.)
Q They all claimed through the same ancestor? A Yes sir.
Q Mary Antoinette Roble (or Rebleau)? A Yes sir.
Q Do you want the testimony and records filed in these cases
considered with yours so that you may get the benefit of it? A Yes
sir.

This applicant has the appearance and physical characteristics
of being descended from white parentage except she had dark com-
plexion, dark eyes and black hair; she has French blood; she claims
to have Indian blood; she is very dark.

Q You don't understand or speak the Choctaw language? A No sir
Does not understand or speak the Choctaw language and has no
knowledge of the compliance on the part of her ancestors with any
of the provisions of the fourteenth article of the treaty of 1830.

-o-o-o-o-o-o-o-o-o-

Henry G. Hains being sworn states that as stenographer to the
Commission to the Five Civilized Tribes he reported in full all the
above testimony and that the above and foregoing is a full, true
and correct transcript of his stenographic notes in said cause

Henry G. Hains

Subscribed and sworn to before me this 20th day of November, 1901

Clara Mitchell Wood
Notary Public.

Muskogee, Indian Territory, January 23, 1902.

J. H. Arnold,

Meridian, Mississippi,

Dear Sir,

Receipt is hereby acknowledged of your letter of the twentieth instant, inclosing marriage certificate of Richard A. Osborn and Eliza Payne, offered for filing in support of the application of Richard A. Osborn et al. for identification as Mississippi Choctaws.

Receipt is also acknowledged of evidence of the birth of Joseph Arnold Rabin, infant son of Della and Mitchell L. Rabin, born December 18, 1901. The affidavit of the mother and the nurse at the birth of the child have been accepted as evidence of its birth and will be filed with and made a part of the original application of Della Rabin for identification as a Mississippi Choctaw.

Yours truly,

Acting Chairman.

MC 3931
MU 4495

N C R 2931

COPY

Muskogee, Indian Territory, September 2, 1902.

Della Hamlin,

Bayou Lachte, Louisiana.

Dear Madam:

You are hereby advised that on the 2nd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Roselia Wallette, et al., embracing the following applications for identification as Mississippi Choctaws:

Roselia Wallette,	N C R 4395
Selia Laurent, et al.,	" 4396
Angela Laurent,	" 4398
Olevia Wallette, et al.,	" 4397
John B. Wallette, et al.,	" 4478
Louis L. Wallette, et al.,	" 4389
Joe Clanton, et al.,	" 3101
Mere Flores, et al.,	" 3467
Mary E. Beach, et al.,	" 3098
John Brachier, et al.,	" 2887
Joseph O. Flores, et al.,	" 2886
Joe D. Laffitte,	" 2100
Edna Laffitte,	" 2102
Eugene Laffitte,	" 3097
Sam Laffitte,	" 3099
A. Dubas, et al.,	" 2103
Minnie Hesser,	" 3949
James Flores, et al.,	" 3714
Sylvester Hamlin, et al.,	" 3712
Joseph L. Hamlin, et al.,	" 3951
Della Hamlin, et al.,	" 3931
Carrie L. Hamlin, et al.,	" 3953
Clara Legrand, et al.,	" 3713
Honey Hamlin, et al.,	" 3952
Edmond Perier, et al.,	" 2289
Sterling Perier,	" 2244

Blumette Deaton, et al.,	X C R 2392
Bob Dupre, et al.,	" 2241
Len Dupre,	" 2243
Edward L. Grumbles, et al.,	" 2240
Annie Flores, et al.,	" 3950
Charley B. McCaugh, et al.,	" 2242

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rozelia Waillette, Zelia Laurent, Jonce Olive Laurent, Alexis Laurent, Frank Laurent, Steve Laurent, William Bernard Laurent, Ivan Lee Laurent, Sam Clyde Laurent, Preston Laurent, John Filma Laurent, Sydney Laurent, Angele Laurent, Olevia Waillette, Earnest Waillette, Edwin Waillette, Leo Waillette, Eva Waillette, John B. Waillette, Gertrude Waillette, Eugenia Waillette, John Steven Waillette, Louis L. Waillette, Lambert Waillette, Joe Clanton, Dan Clanton, Vero Flores, Angela Flores, Mary W. Roach, Robert Roach, Willie Roach, John Brashier, Jones Brashier, Oscar Brashier, Louis Brashier, Joseph O. Flores, Sloan Flores, Ben Flores, Oscar Flores, Mary Flores, Clayton Flores, Joe D. Laffitte, Leon Laffitte, Napoleon Laffitte, Sam Laffitte, A. Dubaz, Joe Dubaz, John Dubaz, Napoleon Dubaz, Winnie Hesser, James Flores, William Flores, Walter Flores, Lavinia Flores, Vay Flores, Sylvester Rambin, Sydney Rambin, Samuel Rambin, Mattie Rambin, Pearl Rambin, Birdie Rambin, Zada Rambin, Joseph L. Rambin, Mary E. Rambin, Della Rambin, Joseph Arnold Rambin, Carrie L. Rambin, Myrtle L. Rambin, Lawrence L. Rambin, Clara Legrand, Andrew Augustin Legrand, Joseph Napoleon Legrand, Mary E. Legrand, Joseph W. Legrand, George V. Legrand, Anna Lucy Legrand, John A. Legrand, Mary Celeste Legrand, Boney Rambin, Joseph O. Rambin, Arthur Rambin, Lula Rambin, Joseph McQ. Rambin, Johnnie

D E -2.

Bentin, Edmund Perier, Winnie Perier, Annie Bell Perier, Sterling Perier, Elumetta Denton, Eddie Lee Denton, Bob Dupre, Robert Dupre, Elijah Dupre, Vessie D. Dupre, Lula Dupre, Clipper Dupre, Beatrice Dupre, Lou Dupre, Edward L. Grumbles, Leonard Grumbles, John Grumbles, Robert Grumbles, Mary Grumbles, Ed Grumbles, Dan Grumbles, Willie Grumbles, Bessie Grumbles, Annie Flores, William Flores, Lillie H. Flores, Phillip Flores, Hartwell Flores, Charley E. McCause, Fletcher D. McCause, Minnie E. McCause, Katie V. McCause, Edie McCause, Eabel McCause, Pearl McCause, and Birdie McCause, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNATURE

Yours truly,

Acting Chairman,

Registered.

M.C.R. 3931

COPY.

Muskogee, Indian Territory, February 25, 1903.

Della Roubin,

Bayou La Lache, Louisiana.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Roselia Wallette, et al., of which decision you were advised by registered mail on the 2nd day of September, 1902.

Respectfully,

John D. Roubin
Chairman.

M.C.R. 3931.

COPY

Muskogee, Indian Territory, November 12, 1906.

Della Rabin,

Bayou Laטה, Louisiana.

Dear Madam:

You are hereby notified that the Secretary of the Interior on October 30, 1906, denied the request of E. L. Grumble of Pauls Valley, Indian Territory, of June 20, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Roxelia Wallette, et al.

Respectfully,

SIGNED *Tams Bixby.*
Commissioner.

MCR-3931.

Muskogee, Indian Territory, March 2, 1907.

Della Rabin,
Bayou LaChute, Louisiana.

Dear Madam:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied a motion, filed by Patchell & Henderson, attorneys at law, Pauls Valley, Indian Territory, for a reconsideration of Departmental action of October 30, 1906, denying a request filed by E. L. Grumble June 22, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Roselia Wallette et al.

Respectfully,

Commissioner.

No. 3931

For Identification as a Mississippi Choctaw.

Date

NOV 7 1901

Name *Nella Rambin,*

Age *17* - Blood *1/16*

Post Office, ~~Atch~~ Bayou La Poudre, La

Father: *Joe Rambin, d.*

Mother: *Elizabeth " b.*

Claims through *father -*
husband.
MITCHELL
LAWSON *Rambin w.*
No claim for husband

~~claim~~

Claims for self
alone

Stenographer

H. G. Hains

Choctaw MCR 3932

Benjamin F. Love

See MCR 3948

MCR 3932

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.,
MUSKOGEE, I.T. NOVEMBER 2, 1901.

TESTIMONY OF CAS WELFORTH

In the matter of the application of Benjamin F. Love et al.
for identification as Mississippi Choctaws, heard at Muskogee, I.T.,
November 2, 1901. M.C.R. 3928

In the matter of the application of John H. Love et al. for the
identification as Mississippi Choctaws, heard at Muskogee, I.T.,
November 2, 1901. M.C.R. 3933

In the matter of the application of James H. Wilson et al., for
identification as Mississippi Choctaws, heard at Muskogee, I.T.,
November 2, 1901. M.C.R. 3938

In the matter of the application of Charles C. Brown et al.,
for identification as Mississippi Choctaws, heard at Muskogee, I.T.,
November 2, 1901. M.C.R. 3939

In the matter of the application of A.P. Brown et al. for
identification as Mississippi Choctaws, heard at Muskogee, I.T.,
November 2, 1901. M.C.R. 3940

In the matter of the application of B.G. Brown et al for iden-
tification as a Mississippi Choctaw, heard at Muskogee, I.T. No-
vember 2, 1901, M.C.R. 3941

In the matter of the application of Effie E. Perry et al. for
identification as Mississippi Choctaws, heard at Muskogee, I.T.,
November 2, 1901. M.C.R. 3942

In the matter of the application of Juliett Pierce et al., for
identification as Mississippi Choctaws, heard at Muskogee, I.T.
November 2, 1901. M.C.R. 3943

In the matter of the application of Thomas J. Wilson et al.,
for identification as Mississippi Choctaws, heard at Muskogee, I.T.
November 2, 1901. M.C.R. 3944

In the matter of the application of David A. Smith for identi-
fication as a Mississippi Choctaw, heard at Muskogee, I.T. November
2, 1901. M.C.R. 3945

Q Did he come West with the balance of the tribe? A Yes sir.
Q He stayed in Mississippi? A No sir.

-2-

In the matter of the application of Benjamin F. Love for the identification of his nephew, Henry T. Love, as a Mississippi Choctaw, heard at Muskogee, I.T., November, 2, 1901, M.C.R. 3948

Cas Griffin being first duly sworn as a witness in these cases, testifies as follows:

Examination by the attorney, John London:

Q Where do you live? A Little River County, Arkansas.
Q How long have you lived there? A I came there in 1856.
Q When you went to Arkansas where did you come from? A Lauderdale County, Mississippi.
Q Did you live in Mississippi when the Choctaw Indians were moved West to the present Choctaw nation? A Yes sir.
Q How old was you then? A I think I was about, as near as I can come at it- I was about eighteen or nineteen.
Q What year was that? A I disremember, I can't think.
Q Do you know Tom J. Love? A Yes, I knew him; I knew him there.
Q Now go on and describe to this gentleman who he was and where he lived.
A Well, Tom J. Love lived at Juxon Station-
Q In what County, do you know? A Lauderdale County, Mississippi.
Q Did he own land there? A He owned land about three or four miles from Juxon Station, at Sand Hill, it was on what was called Nettlesowasha.
Q Was Tom J. Love an Indian? A Well I--- yes; he was Indian; I thought he was full-blood; they always called him old Indian Tom; I knowed him well, he was dark-skinned, He was Choctaw Indian.
Q Did he have a Choctaw name? A They called him old Indian Tom.
Q Did he come West with the balance of the tribe? A No sir.
Q He stayed in Mississippi? A Yes sir.
Q You don't know whether he applied for land there in Mississippi and was listed as an applicant, do you? A No sir; I know he had a little place of his own.
Q Did he live on that place after the balance of the tribe moved West? A Yes sir.
Q How long did he live there after that? A About two years.
Q Do you know what became of him then? A Well, as near as I can remember I don't think he went southward to Aberdeen, Mississippi, and I don't know where he went to then.
Q That Tom J. Love you spoke of was the father of these men? A Yes.
Q Did you know his children? A Yes I knowed two.
Q What is the name of them? A I knowed Jeff and Mr. Benjamin.
Q Do you know if these applicants here, Mr. Brown and Mr. Wilsons and Mr. Love here are the descendants of Thomas J. Love you speak of in Mississippi? A Yes sir.

Examination by the Commission:

Q How old are you, uncle? A Well, when I come to Arkansas I was going on thirty three years old; I come to Arkansas in '56.
Q When were you born? A I can't tell you; I was born in slavery time, when our age wasn't set down. I was born in "Kub" times.
Q Are you a hundred years old? A No sir.

Q ANo sir; I aint as old as that.

Q You think you are eighty years old? A I think about eighty five years old; I am going on eighty six, agreeable to my count and men in Mississippi and Alabama.

Q Well, you wer e not- if you were nineteen tears old in '33 as you said; that would make you eighty seven; and you think you are about eighty six? A Yes; I am trying to be as young as I can.

Q You knew Thomas J. Love in Mississippi? A Yes sir.

Q And lived near him? A Yes sir.

Q And knew that he was called Indian Tom. How much white blood did he have, do you know? A He looked pretty dark.

Q Did he look as if he had white blood? A Yes sir.

Q How long did you know him there? A Three or four years.

Q Lived right in the neighborhood with him? A Yes sir.

Q When did you leave Mississippi? A I can't tell you exactly when.

Q Did you leave Mississippi before he had? A No sir; he left first.

Q You never saw him after that? A No sir; I just heard about him being up at Aberdeen.

Q Did you know about him by being near him- did you live quite close in a small community froming--? A Yes sir.

Q How often did you see him? A Every time I went to Juxon place to get grain to make "Tom Fuller", I seen him.

Q You know nothing more about him than that you supposed at that time that he had Choctaw blood? A That's all.

Q You don't know whether he complied with article fourteen of the treaty of 1830 or anything of that kind, do you? And if he was a recognized member of the Choctaw tribe of Indians there in Mississippi? A Yes; I know a little- I can't tell much about that point.

Q Do you know what I mean when I ask you about the fourteenth article of te treaty of 1830? A No sir.

Q Did you ever hear of the treaty of 1830 in Mississippi between the Choctaw Indians---? A Yes, I was there.

Q What about that treaty? What was that treaty for, do you know?

A Well, in them times, we called it driving the Indians from Mississippi to Arkansas.

Q Well, they went to the Indian Territory, didn't they? A Yes sir.

Q Well, then, do you know whether any of his people were driven out that time from Mississippi to Indian Territory? Mr. Love's?

A I don't.

Q He didn't come did he? A No sir.

Q In 1830 did he have a family there in Mississippi? A Yes sir.

Q He had boys there and girls? A Yes sir.

Q Do you know whether he went to the Indian agent, Col. Ward,---Do you know Col. Ward? A I thought it was Woyok and Smith.

Q Well, did you hear about him? A Yes I was in Mississippi.

Q You heard about Ward, did you? A I never did see him; he was carrying them-- I don't know where they emigrated from.

Q Did Thomas Love tell him he wanted to stay in Mississippi? ANo sir.

Q He didn't go to Ward, did he? A No sir.

Q You don't know about that? A No sir; he disappeared from there, and I can't tell.

Q You heard about some of them going to him and telling that?

A I knowed of one of them that was kept back.

Q Did you ever hear about any of them going to Ward? A Well, there was a preacher who stayed back there.

Q Indian preacher? A Yes sir.

Q Did you hear that he went to Col. Ward? A No sir he didn't go; they graduated him and kept him there.

Henry S. Harris being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said testimony.

Henry S. Harris

Subscribed and sworn to before me this 2nd day of December, 1901.

Edna Mitchell
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

2222

In the matter of the application of Benjamin F. Love for the identification of himself and his two minor children as Mississippi Choctaws.

John London attorney for applicant.

Benjamin F. Love being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Benjamin F. Love.
Q What is your age? A Fifty seven.
Q What is your post office address? A Richmond, Arkansas.
Q Where were you born? A Bowie County, Arkansas, Texas.
Q How long did you live there? A Till I was eleven years old.
Q Then you went where? A Richmond, Arkansas.
Q Lived there since have you? A Yes sir.
Q What is your father's name? A Thomas J. Love.
Q Is your father living? A No sir, dead.
Q What is your mother's name? A Julia Love.
Q Living or dead? A Dead.
Q Through which parent do you claim Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A Well, my father was a half.
Q You claim a quarter, a half of a half? A Yes sir.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q Do you know when and where your father and mother married?
A In Bowie County, Texas; I don't know when.
Q By a minister and under a license? A I don't know; that's before license was issued.
Q You think you can produce proof of their marriage in this case?
A Yes sir.

Reasonable time will be allowed you to do so.

- Q Are you married? A Yes sir.
- Q What is your wife's name? A Sarah F. Love.
- Q Is she a white woman? A Yes sir.
- Q You make no claim for her? A No sir.
- Q Have you children you want to make application for? A Yes, two.
- Q What is the oldest? A Benjamin F. Love, Jr.
- Q Is he under age and unmarried? A Yes sir.
- Q How old? A Fifteen.
- Q What is the name of the other? A Mathew L. Love.
- Q How old? A Eight years.
- Q Do you make application for these two children and yourself?
- A Yes sir.
- Q Were you ever married before you married this wife? A No sir.
- Q Was she ever married before she married you? A Yes sir.
- Q Are there any children now living that you want to make application for, any of her children by her first marriage? A No sir.
- Q What was her first husband's name? A Hendricks.
- Q Do you remember when he died? A In about '90.
- Q There are no children by that marriage now under age? A No, not under age.
- Q Have you the marriage license and certificate of your marriage with your wife? A Yes sir.
- Q You intend to file it in this case? A Yes sir.
- Q Is your name or the names of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself or children to the Choctaw tribal authorities?
- A No sir.
- Q Did you ever make application for yourself and children to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896, for citizenship in the Choctaw Nation?
- A No sir.
- Q Have you or your children ever been admitted as members of that tribe by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.
- Q Have you ever before this time tried to become enrolled as a member of the Choctaw tribe of Indians or to obtain the enrollment of your children as Choctaw citizens to either the Choctaw tribal authorities or the United States authorities? A No sir.
- Q You now come before the Commission for the purpose of being identified and for the identification of these children as Mississippi Choctaws claiming an interest in the Choctaw lands in the Indian Territory under article fourteen of the treaty of 1830?
- A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q Have you heard it read and explained a number of times? A Yes sir.
- Q Then you understand it? A Yes sir.
- Q Do you waive the explanation of it? A Yes sir.
- Q Now as that has been read and explained to you do you know if any of your Choctaw ancestors ever complied or attempted to comply with the provisions of that article of that treaty? A No sir.
- Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A My father.
- Q What was his name? A Thomas J. Love.
- Q Did he live in the old Choctaw Nation in Mississippi or Alabama?
- A I have been told that he did.
- Q By whom were you told that he did? A My older brother.

- Q Do you know whereabouts in that old Choctaw Nation in Mississippi or Alabama he lived? A I don't know.
- Q Don't know the State? A In Mississippi.
- Q But you don't remember the County? A No sir.
- Q How much Choctaw blood did he have? A Half, I have been told.
- Q Have you any proof of that fact, that he had half Choctaw blood? A I think so.
- Q You think you have testimony that you can introduce to prove that fact? A Yes sir.
- Q Did Thomas J. Love, your father, live in Mississippi in 1830? A Yes sir.
- Q Was he the head of a family at that time? A Yes sir.
- Q When was he born? A The records show that he was born in 1871-1785.
- Q When did he die? A In 1848.
- Q And he was living in Mississippi in 1830? A Yes sir.
- Q Did he claim his Choctaw blood through his father or mother? A I can't tell you.
- Q Did he own any improvements on land in Mississippi or Alabama in 1830? A I think so. I have heard so; I haven't seen any records to that effect, I have just heard so.
- Q Did he within six months after the ratification of the treaty of 1830 go to the United States Indian agent, Col. Ward, and tell him that he intended to stay in Mississippi, take land there and become a citizen of the State? A I don't know.
- Q Did he go with the other Indians from the old Choctaw Nation to the new Choctaw Nation, Indian Territory, between 1833 to 1838? A No sir.
- Q Did he claim or own or receive any land from the Government as a Choctaw Indian under article fourteen of the treaty of 1830? A Why, he owned some land in Mississippi; he was supposed to.
- Q Did he get it from the Government? A I don't know sir.
- Q Where was it situated in Mississippi? A In what they call Lauderdale County now, I have been told.
- Q You know nothing further about that at present? A No sir.
- Q Do you know whether he claimed or received any land or benefits at all under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The Treaty of Dancing Rabbit Creek was ratified on the 24th. day of February, 1831; article fourteen which was a part of that treaty provided that all Choctaws who stayed back there in Mississippi or Alabama should, in order to hold lands in Mississippi and afterwards acquire citizenship in the new Territory if they ever came to the Territory, tell the United States Indian agent within six months after the ratification of this treaty, that they intended to stay in Mississippi, take land there and become citizens of the States. A good many Indians did this but never had their names put down in Ward's Register that contains only a few names of the people who went to him and made their applications under that article and took lands in Mississippi and Alabama; but their names not being found on Ward's register, a great many Indians' lands were taken away from them by the Government and sold. This caused a good many complaints in Mississippi and Alabama and as a result of these complaints in 1837 by Act of Congress approved March 3, a Commission was appointed which went to Mississippi and

heard claimants who came before it claiming under article fourteen. In 1842 Congress appointed a nother Commission for the same purpose and they heard all that came before it.

Q Did any of your ancestors come before either of these Commission and claim rights under that? A I don't know sir.

The Act of Congress approved August 23, 1842, provided that if any Choctaw appeared before the Commission of 1842 and proved his claim under article fourteen and if it further appeared that he had his land taken from him by the Government he should be entitled to select land in either Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that a certificate to that effect should be given him; these certificates were called scrip.

Q Do you know if any of your Choctaw ancestors received any such scrip from the Government? A I don't.

Q Have you any documentary evidence you want to present now in support of your application? A No sir.

(Attorney John London asks for time to file same; granted.)

Q Do you speak or understand the Choctaw language? A No sir.

Q Have you had any relatives who have appeared here for identification as Mississippi Choctaws? A None at all sir.

Examination by John London:

Q Were you old enough to know your father? A No sir; my father died when I was an infant.

By the Commission:

Applicant has the appearance and physical characteristics of being descended from white parentage; has blue eyes, medium fair, ruddy complexion, gray hair and whiskers; hair used to be dark brown. He does not speak or understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with any of the provisions of article fourteen of the Treaty of Dancing Rabbit Creek.

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Henry G. Hains being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the above and that this is a full, true and exact report of his stenographic notes in said cause.

Henry G. Hains

Subscribed and sworn to before me this 21st, day of November, 1901.

Chas. Mitchell
Notary Public.

Muskogee, Indian Territory, June 10, 1902.

Benjamin F. Love,

Richmond, Arkansas.

Dear Sir:

The Commission is today in receipt of a telegram, signed, B. F. Love, from Ashtown, Arkansas, as follows:

"Let us know what disposition has been made of the Love citizenship case. Please write if you will."

In reply to your telegram you are advised that there are a number of persons by the name of Love who are applicants to this Commission for identification as Mississippi Choctaws and it further appears from our records that at Muskogee, Indian Territory on November 1, 1901, Benjamin F. Love, made personal application to this Commission for the identification of himself and his two minor children as Mississippi Choctaw Indians. The applicant, Benjamin F. Love was at that time represented by John London, his attorney.

The consolidated case of all applicants for identification as Mississippi Choctaws, claiming descent from Thomas J. Love has now been considered by the Commission as closed as an ample opportunity has been granted the parties in interest to introduce any testimony that they might desire.

3. 7. 12

The Commission has therefore taken up this case for final consideration and will in the very near future render a decision relative to the rights of the descendants of the said Thomas J. Love to identification as Mississippi Choctaws.

You will be advised of the rendition of such decision and also be notified of the forwarding of the record in the case to the Secretary of the Interior for his review.

Yours truly,

Acting Chairman.

COPY.

M.C.R. 5938

Muskogee, Indian Territory, July 18, 1902.

Benjamin F. Love,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 5946
John H. Love, et al.,	" 5938
Will Love, et al.,	" 4294
Fennis Love,	" 4293
May Love,	" 4294
Bettie McConnell,	" 4296
Zeb Love,	" 4297
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4519
Lulu T. Johnson, et al.,	" 4298
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie M. Perry, et al.,	" 3942
E. G. Brown,	" 3941
Fannie M. Coleman, et al.,	" 4065
Mabel Cobb, et al.,	" 4301
Hiram Coleman,	" 4302
Benjamin F. Love, et al.,	" 3932
Thomas J. Wilson, et al.,	" 3944
James R. Wilson, et al.,	" 3935

B F L -----2

These applications were made under the provisions of the act of Congress of June 28, 1896 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Levander Love, Will Love, Henry Love, Roy Love, Fannie Love, Ray Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Alberts C. Brown, Charles T. Brown, A. P. Brown, Hattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliette Pierce, Robert A. Pierce, Sarah H. Pierce, Lucy M. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie P. Perry, Hob Perry, Birdie Perry, P. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin E. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burial Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

D F L 100-2

action as may be taken by him.

Yours truly,

(SIGNED)

Registered,

T. B. Needles

Commissioner in Charge

COPY.

M.C.R. 3932

Muskogee, Indian Territory, October 11, 1902.

Benjamin F. Love,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

Commissioner in Charge.

No. 3932

For Identification as a Mississippi Choctaw.

Date NOV 1 1901

Name Benjamin F. Love

Age 57 Blood 1/4

Post Office, Richmond, Ark.

Father: Thomas J. Love, d.

Mother: Julia " d.

Claims through Father's
wife, Sarah F. Love, w.

No claim for wife,

Children:

Benjamin F. Love, Jr., 15.
Mathew L. Love, 8

Claims for self &
children.

Choctaw MCR 3933

John H. Love

See MCR 3948

MCR 3933

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 1, 1901.

2913

In the matter of the application of John H. Love for the identification of himself and his minor child as Mississippi Choctaws.

John London attorney for applicant.

John H. Love being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John H. Love.
Q What is your age? A Thirty nine years old.
Q What is your post office address? A Richmond, Little River County, Arkansas.
Q How long have you lived at Richmond, Arkansas? A I have been born and raised right around there; it has been my post office always.
Q What is your father's name? A Henry T. Love.
Q Has he appeared here for identification today? A No sir, he wasn't able.
Q What is your mother's name? A Jinny Ann Love. (J-i-n-n-o-y)
Q Is she living or dead? A She is dead.
Q You claim through which parent your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A I claim one sixteenth.
Q Was your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A There close to Richmond in Arkansas.
Q Do you remember the date of their marriage? A No sir.
Q Can you produce proof of the marriage of your father and mother? A Yes, I think I can.

Reasonable time will be allowed you to do so.

- Q Are you married? A Yes sir.
Q What is your wife's name? A Elizabeth Love.
Q Is she a white woman? A Yes sir.

- Q Do you claim for your wife? A No sir.
- Q Have you any children you want to make application for? A I have one.
- Q What is the name? A Lewander Love; (L-e-w-a-n-d-e-r)
- Q Is that a boy? A Yes sir.
- Q How old is he? A Fifteen years old.
- Q Is that all of your children? A Yes sir.
- Q You claim for yourself and child? A Yes sir.
- Q When and where were you married to your wife, Elizabeth Love?
- A Down in Little River County, Arkansas.
- Q At what date? A A 1885, 9th day of February.
- Q Have you your marriage license and certificate of your marriage to your wife? A Yes sir.
- Q With you? A Yes sir.
- Q Do you propose to file it? A Yes sir.

(Attorney London says it will be filed with the other cases.)

- Q Is your name or the name of this son a on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir, not that I know of.
- Q Have you ever made application for citizenship in the Choctaw Nation for yourself and your child to the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself and child to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your son ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.
- Q Have you ever before this time sought to obtain citizenship in the Choctaw Nation for yourself and son by making application either the Choctaw tribal authorities or to the United States authorities in-? A Why, I thought of going out there but I never have done it.
- Q You thought of doing it but you have not-? A No sir.
- Q Is this the first application of any kind that you have ever made for citizenship for yourself and son? A Yes sir.
- Q Do you now come before the Commission claiming the right to be identified as Mississippi Choctaws for yourself and son and claiming an interest in the Choctaw lands in Indian Territory under article fourteen of the Treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you understand the provisions of article fourteen of the Treaty of Dancing Rabbit Creek? A I think I do.
- Q Do you know you do? If you don't it will be explained to you. If there is any doubt about it explanation will be given. Do you understand what a treaty is? A Yes sir.
- Q How does a treaty made between Nations differ from a contract made between individuals, do you know? A Yes, I think so.
- Q What's the difference? A How does a treaty differ from a contract made between people? A Well, a treaty is sort of like an agreement between two Nations instead of two people.
- Q Yes; both are in writing; one between two or more Nations and the other between two or more people or individuals.

Such a treaty as that was made between the Choctaw tribe of Indians and who lived in Mississippi and Alabama and the United States at a place called Dancing Rabbit Creek in Mississippi; the object of that treaty was the removal of all the Choctaw Indians

who lived in that Nation to the new Choctaw Nation, Indian Territory. The reason that the Government desired to remove them was that upon the Indian Territory they would be under the protection of the United States Government and ensure their tribal Government undisturbed by white men or any other people. Before the treaty was signed it became evident that a great many would not go to the Indian Territory and in order to protect their interests article fourteen was inserted into the treaty and it was afterwards signed with that article in it. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q That's article fourteen of the treaty of Dancing Rabbit Creek. You think you understand that? A Yes, I think I do.
- Q Now as you have heard that read and explained do you know whether any of your ancestors complied or attempted to comply with the provisions of that article of that treaty? A No sir; I don't know.
- Q You make application for citizenship through your father, don't you? A Yes sir.
- Q His name is what? A Henry T. Love.
- Q He has made application for identification today? A No sir; that was an uncle of mine.
- Q Your father has not appeared here? A No sir.
- Q He is living now? A Yes sir.
- Q Where was he born? A I think in Arkansas.
- Q What place? A I don't know where he was born at.
- Q Do you know when he was born? A No sir.
- Q Do you know if he ever lived in the old Choctaw Nation in Mississippi or Alabama? A No sir; he never did live there.
- Q Who did then, of your Choctaw ancestors live in the Choctaw Nation? A I don't know.
- Q How old is your father? A Sixty five years old.
- Q You don't know where he was born? A No sir.
- Q Who lived in Mississippi or Alabama? A My great grandfather.
- Q What was his name? A Thomas J. Love.
- Q Is that Henry T. Love's father? Your father's father? A No.
- Q What is your father's name? A Henry T. Love.
- Q Now, who was his father-- A John Love.
- Q Do you derive your Choctaw blood through him? A Yes sir.
- Q What do you know about John Love your Grandfather? A I don't know much; he died when I was quite a small boy.
- Q Did he ever live in Mississippi or Alabama? A I can't tell you; I don't know.
- Q How old was you when John Love died? A I guess I was about

seven or eight years old.

Q If he was living now he would be about eighty years old? A Yes, about.

Q You know nothing about his residence in Mississippi or Alabama? A We was born I think in Mississippi.

Q Where? A I don't know; I have been taught that where he was born.

Q Now you claim your rights to citizenship in the Choctaw Nation at this time as a descendant of Thomas J. Love the father of John Love? A Yes sir.

Q Was this John Love ever a resident of the State of Mississippi or Alabama? A Yes, I have been told he stayed in Mississippi.

Q Was he a resident of the State of Mississippi in the territory limits of the old Choctaw Nation there in 1830? A I can't tell you.

Q Do you know of any witnesses who can testify to that fact? A Yes, I think we can prove it.

Q Where are they? A Here.

Q Here in Muskogee? Were the witnesses that you were going to have testify here in Muskogee? A Yes sir.

Q Are they here now present? A Yes sir.

Q Where are they? A Out there.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know sir.

Q Have you any information that makes you think that? A Nothing only the old records.

Q Have you any records that they owned any improvements on land?

A It will show, I think that they owned land.

You will be allowed to produce that if you can.

Q Did any of your ancestors go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory with the other Indians between 1833 to 1838? A I don't know.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent, Col. Ward, that they intended to stay in Mississippi, take land there and become citizens of the States? A I don't know.

Q Did any of your Choctaw ancestors claim or receive any land under article fourteen of the treaty of 1830? A I don't know.

Q Did any of your ancestors receive or claim any land or other benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

According to the provisions of article fourteen of the Treaty of Dancing Rabbit Creek the United States Indian agent was required to make a list of the names of all Choctaw Indians who came before him within six months from the ratification of the treaty of Dancing Rabbit Creek and who told him that they wanted to stay in Mississippi and take land there. This the Indians were required to do under article fourteen to remain in Mississippi. After that treaty was ratified if they desired to hold land in Mississippi or if they desired afterwards to go to the Choctaw Nation, Indian Territory and become citizens there. Col. Ward made such a list, but Ward's Register contains the names of only a few of the Indians. This worked a injury to the Choctaw Indians in Mississippi because many of them had lands there and the Government took that land from them and sold it. In 1837 so many complaints had been made to Congress that

a Commission was appointed and this Commission went to Mississippi and heard claimants under article fourteen who wanted to come before it. In 1842 another Commission was appointed for the same purpose and this Commission heard all claimants who desired to come before it claiming rights under article fourteen of the Treaty of Dancing Creek.

Q Did any of your Choctaw ancestor go before either of these Commissions and claim under article fourteen of that treaty? A No sir; not that I know of.

The Act of Congress approved August 23, 1842, provided that if any Choctaw appeared before it- that is the Commission of 1842- and proved his claim and if it also appeared that his land had been taken away from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land; and that a certificate to that effect should be given him; these certificates were called scrip.

Q Did any of your Choctaw ancestors receive any such scrip that you know of? A No sir.

Q Have you any documentary evidence, any papers, you want to produce now? A No sir.

Q Do you want time in which to file papers in this case and introduce evidence? A Yes sir.

Reasonable time will be allowed this applicant in which to file documentary evidence or other proper evidence in support of this application.

Q Do you speak or understand the Choctaw language? A No sir.

Q Is there anything more you want to say now in support of this claim? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; has blue eyes, medium fair complexion, brown mustache, brown hair. He does not understand or speak the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

-Q-Q-Q-Q-Q-Q-

Henry G. Hains being sworn states that as stenographer to the Commission to the Five Civilized tribes he reported in full all the above and that this is a correct transcript of his stenographic notes therein.

Henry G. Hains

Subscribed and sworn to before me this 21st day of November, 1901.

Charles M. Mitchell
Notary Public.

COPY.

M.C.R. 3933

Waskagee, Indian Territory, July 18, 1902.

John H. Love,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3948
John H. Love, et al.,	" 3933
Will Love, et al.,	" 4296
Fannie Love,	" 4293
May Love,	" 4294
Bettie McConnell,	" 4295
Zeb Love,	" 4297
David A. Smith,	" 3948
Katie A. Patterson, et al.,	" 4519
Lula T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. B. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie H. Perry, et al.,	" 3942
B. G. Brown,	" 3941
Fannie H. Coleman, et al.,	" 4083
Mabel Cobb, et al.,	" 4501
Hiram Coleman,	" 4308
Benjamin F. Love, et al.,	" 3932
Thomas J. Wilson, et al.,	" 3944
James H. Wilson, et al.,	" 3938

J H I ccccc

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 498) which is as follows:

"Said Commission shall have authority to determine the identity of Cheetaw Indians claiming rights in the Cheetaw lands under article fourteen of the treaty between the United States and the Cheetaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lowander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. F. Brown, Mattie Brown, Myrtle Brown, Annie Brown, Louise Brown, Juliette Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy E. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Gay Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Annie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

J H I 22222

action as may be taken by him.

Yours truly,

(SIGNED).

Registered.

Commissioner in Charge

COPY.

M.C.R. 2933

Muskogee, Indian Territory, October 11, 1902.

John H. Love,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

NEED

T. L. Justice.

Commissioner in Charge.

Identification as a Mississippi Choctaw.

Date

NOV 1 1901

Name John C. Love.

Age 39

Blood 1/16

Post Office, Richmond, Ark.

Father: Henry T. Love, C.

Mother: Jincy A. " d.

Claims through father — —
wife Elizabeth Love, w.

No claim for wife.

Children:

Lewander Love, 15.

Claims for self
and child.

Stenographer

H. G. Haines.

Choctaw MCR 3934

Lucy P. Jackson

See MCR 20

MCR 3934

7-R584

Department of the Interior,
Commission to the Five Civilized Tribes,
Colbert, I.T., June 14, 1900.

In the matter of the application of Lucy P. Jackson for the enrollment of herself and children as Choctaw by blood; being sworn and examined by Acting Chairman Bixby, she testified as follows:

- Q - What is your name? A - Lucy P. Jackson.
Q - How old are you? A - 47.
Q - What is your post office address? A - Fox, I.T.
Q - How long have you lived at Fox? A - 7 years.
Q - Have you been living there all the time for 7 years?
A - Yes, sir.
Q - What is the name of your father? A - Madison Smith.
Q - Is he living? A - No, sir.
Q - Was he a Choctaw Indian or a white man? A - Choctaw Indian
Q - What proportion of Choctaw blood did he claim to have?
A - He was half breed.
Q - Was his name ever on the Choctaw Tribal rolls? A - No,
sir, not that I know of, he died when I was young.
Q - Was he ever recognized as a Choctaw Indian by the Tribal
authorities? A - I can't tell you.
Q - What is the name of your mother? A - Elizabeth Smith.
Q - Is she living? A - No, sir.
Q - Is she a white woman? A - Yes, sir.
Q - What proportion of Choctaw blood do you claim to have?
A - 1/4.
Q - Has your name ever been on the Choctaw Tribal rolls?
A - No, sir.
Q - Have you ever been recognized by the Tribal authorities as
a Choctaw Indian? A - No, sir.
Q - Did you ever apply to the Tribal authorities for enrollment
as a Choctaw Indian? A - No, sir.
Q - Did you apply to the Dawes Commission in 1896? A - No, sir.
Q - Did anyone else apply for you? A - No, sir.
Q - Is this your first application? A - Yes, sir.
Q - Are you married? A - Yes, sir.
Q - Are you making any application on behalf of your husband?
A - No, sir.
Q - Have you any children under 21 years of age? A - I have
nine.
Q - What is the name of your husband? A - Thomas E. Jackson.
Q - Is he living? A - Yes, sir.
Q - You married him under United States law? A - Yes, sir.
Q - What are the names and ages of your children? A - Jennie
is 16, Nera is 15, Maude is 13, Eva is 12, Joseph is 11, Gus is 6,
Flessey is 7, Stella is 4.
Q - Is there any additional statement in regard to your case
you would like to make at this time? A - No, sir.
Q - Do you wish to file these papers? A - I don't know,
yes, sir, I guess I want to leave them. (Papers offered and
placed on file.)

The enrollment of yourself and your children is refused for the reason that your name and the names of your children do not appear on the Tribal rolls of the Choctaw Nation now in the possession of this Commission, and for the further reason that it does not appear from the testimony in this case and the record that either you or your children have ever been recognized by the Tribal authorities as Choctaw Indians by blood, or that you or either of you were admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the law of June 10, 1896, or by a judgment of the United States Court in the Indian Territory.

May 2. Jackson - 2.

James S. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he reported the testimony of the above named witness, and that the foregoing is a full, true and correct translation of his stenographic notes.

James S. Jones

Sworn to and subscribed before me this 27th day of June, 1900.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Lucy P. Jackson for enrollment of herself and eight minor children as citizens by blood of the Choctaw Nation.

The applicant, Lucy P. Jackson, appeared before the Commission at Colbert, Indian Territory, June 14th, 1900, and from her oral testimony given at that time on behalf of her claim for enrollment of herself and eight minor children as citizens by blood of the Choctaw Nation.

It appears from the evidence in this case that the applicants have never been on any of the rolls of the Choctaw Nation, or ever admitted to citizenship in the Choctaw Nation, by either the legally constituted authorities of the Choctaw Nation or by the Commission to the Five Civilized Tribes, acting under the act of Congress of June 10th, 1896, or by the United States Courts in the Indian Territory on appeal from the decision of the tribal authorities or the decision of this Commission.

The application for enrollment as citizens by blood of the Choctaw Nation of Lucy P. Jackson and her minor children, Jennie, Nora, Haud, Eva, Joseph, Gus, Flossie and Stella Jackson, is therefore hereby refused.

BY THE COMMISSION.


Acting Chairman.

Muskogee, Indian Territory, Sept 5th, 1900.

Muskogee, Indian Territory, September 15, 1900.

Lucy P. Jackson,

Fox, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 12th instant requesting that the record in the matter of the application of yourself and of your minor children for enrollment as citizens by blood of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration when the rolls of the citizens of the Choctaw Nation are sent to him for approval.

In accordance with your request same has been duly filed and the records in this case will be transmitted to the Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

Acting Chairman.

In reply please
refer to 7-R-584

Muskogee, Indian Territory, November 1, 1901.

Lucy P. Jackson,

Box, Indian Territory.

Dear Madam:

In the matter of the applications for identification of
Mississippi Choctaws of

Eliza A. Peoples, et al,
John J. Peoples, et al,
John M. Blakely, et al,
Edward W. Blakely,
James M. Peoples, et al,

you are informed that under date of July 27, 1901, the Commissioner of Indian Affairs remanded the records theretofore forwarded to the Department for approval, with instructions that opportunity be granted for the introduction of additional testimony of applicants or witnesses in support of such applications.

Our records show that you appeared before this Commission at Colbert, I. T., June 14, 1900, and applied for enrollment as citizens by blood of the Choctaw Nation of yourself and ~~and~~ eight minor children, claiming descent from the same common ancestor.

In accordance with such instructions you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Atoka, Indian Territory, on Thursday, November 14, 1901

L. P. J. M.

at 9:00 o'clock A. M. there will be heard the testimony of such witnesses as you may desire to present in person in support of your application.

Yours truly,

Choctaw 584

Acting Chairman.

M. C. R. 3934.

COPY

Cherokee, Indian Territory, March 3, 1903.

Lacy P. Jackson,
Fox, Indian Territory.

Sir:-

You are hereby advised that on the third day of March, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza A. Peoples, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza A. Peoples, et al.,	M C R	20
John L. Peoples, et al.,	M C R	21
John M. Blakeley, et al.,	M C R	22
Edward M. Blakeley,	M C R	24
James M. Peoples, et al.,	M C R	24
Thrasa Blakeley, et al.,	M C R	455
Lacy P. Jackson, et al.,	M C R	3934

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 23, 1898, (30 Stat., 498), is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

L. P. J. .. 2.

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Eliza A. Peoples, John L. Peoples, Audie Monroe Peoples, William Anais Peoples, Edward Peoples, John M. Blakeley, Myrtle May Blakeley, Edward M. Blakeley, James M. Peoples, Thrasa Blakeley, William Clarence Blakeley, Fred Volney Blakeley, Lucy P. Jackson, Jennie Jackson, Nora Jackson, Maude Jackson, Eva Jackson, Joseph Jackson, Gus Jackson, Flossy Jackson, and Stella Jackson, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by Eliza A. Peoples for the identification of her husband, A. C. Peoples, and by John M. Blakeley for the identification of his wife, Clara V. Blakeley, as intermarried Mississippi Choctaws, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

James L. ...

Commissioner in charge.

Registered,

M.C.R. 3034

Muskogee, Indian Territory, May 9, 1902.

Larry P. Jackson,

Fox, Indian Territory.

Dear Madam:-

You are hereby advised that on the 30th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Eliza A. Peoples, et al., of which decision you were advised by registered mail on the 3rd day of March, 1902.

Yours truly,

Commissioner in Charge

MEMORANDA.

Name Lucy P. Jackson, (47) (Date) June 14, 1900.
Fox, I. J.
 Choctaw? yes County _____ Year _____ No. _____
 Chickasaw? _____ County _____ Year _____ Page _____
 Citizen by blood? yes, (1/4) Mother's citizenship (N.S.)
 Intermarried citizen? _____

Married under what law? _____

License filed this day, _____

(Husband) J. E. Jackson. (no)

Choctaw? _____ County _____ Year _____ No. _____

Chickasaw? _____ County _____ Year _____ Page _____

Citizen by blood? _____ Mother's citizenship _____

Intermarried citizen? _____

Married under what law? _____

License filed this day _____

Names of children:

	County	Year	Page	No.
16. Jennie	County	Year	Page	No.
15. Mera	County	Year	Page	No.
13. Maud	County	Year	Page	No.
12. Eva	County	Year	Page	No.
11. Joseph	County	Year	Page	No.
6. Gus	County	Year	Page	No.
5. Flossie	County	Year	Page	No.
4. Stella	County	Year	Page	No.
	County	Year	Page	No.

Madison Smith, (father) (1/2) Dead
Elizabeth Smith, (mother) Dead

No. 3934

For Identification as a Mississippi Choctaw.

Date June, 14, 1900

Name Lucy P. Jackson.

Age 47 Blood 1/4

Post Office, Pot. Ind. Ter.

Father: Madison Smith dead.

Mother: Elizabeth Smith dead.

Claims through Father.

HUSBAND: T. B. Jackson ✓

(no claim for husband).

Children:

Jennie Jackson	16.
Nora "	15.
Maudie "	13.
Eva "	12.
Joseph "	11.
Lus "	6.
Mary "	5.
Fella "	4.

Stenographer Bruce C. Jones.

Choctaw MCR 3935

Ben Webster

MCR 3935

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Ben Webster
for identification as a Mississippi Choctaw,M. C. R. 3936

List of papers forwarded to the Secretary of the Interior, com-
prising the record in the case of Ben Webster.

Page.

Original application of Ben Webster to the Commission to the Five Civilized Tribes, for identification as a Mississippi Choctaw,	1
Copy of letter of the Commission, addressed to Ben Webster,	2
Registry return receipt addressed to Ben Webster,	3
Decision of the Commission to the Five Civilized Tribes, refusing the application for identification as a Mississ- ippi Choctaw in the case of Ben Webster,	6

MEMORANDUM.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Hattiesburg, Mississippi, December 20, 1900.

In the matter of the application of Ben Webster for Identification as a Mississippi Choctaw.

Ben Webster, having been first duly sworn by Acting Chairman Bixby, testified as follows:
By Mr. Bixby:

- Q What is your name? A Ben Webster.
Q What is your age? A About 45 years.
Q What is your postoffice address? A Orwood, Mississippi.
Q How long have you lived in Mississippi?
A Been raised here; lived here all my life.
Q What is your father's name? A I don't know that.
Q Is he dead? A I don't know; I can't tell you that.
Q Do you know whether or not he was a Choctaw Indian?
A He was supposed so.
Q Do you know whether or not she was a full blood Choctaw? A No, I don't know.
Q What is your mother's name? A Her name was Fanny Webster.
Q Is she living? A I don't know whether she is or not.
Q Was she a Choctaw Indian? A No, she was a brown skinned woman; I don't know what she was.
Q If you don't know whether your father was a Choctaw Indian, and your mother you say was not, what can we do for you? A That was her complexion; I can't say; the people supposed my father to be an Indian; all the old settlers in my country; it is all I go by.
Q All the settlers say your father was an Indian? A Yes sir.
Q Say he was a Choctaw Indian? A Yes, that is what they supposed him to be.
Q We can't do anything for you unless we know your father's name?
A I can't give it because I don't know it.
Q We can't do anything for you then.
A I don't know his name sure; no one ever told me that.
Q Your mother was undoubtedly a colored woman was she? A They say so; they say she was a brown skinned woman.
Q Was you a slave? A No, I was born after my went away. My mother went off and left me and my sister; my mother was a slave; she was bought and sold; I don't recollect anything about her at all.
Q It would be absolutely necessary for us to know about your father; we can't do anything for you.
- 0-----

Frances R. Brown, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 20th day of December, 1900, and that the above and foregoing is a true and correct transcript of her stenographic notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 7th day of January, 1901.

John E. Lieber

Notary Public.

COPY

C.W.
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Ben Webster,
for identification as a Mississippi Choctaw, M.C.R. 3935.

-----D E C I S I O N -----

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission by Ben Webster for himself, under the following provision of the act of Congress approved June 23, 1898 (30 Stats. 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application and from the records in the possession of the Commission, it does not appear that this applicant has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats. 382).

The record herein shows that the applicant is too young to have been living in eighteen hundred and thirty, and fails to show the name of his Choctaw ancestor through whom he claims his right to identification as a Mississippi Choctaw, the applicant simply stating that his father, whose name he does not know, was supposed to have been a Choctaw Indian. The record further shows that the applicant has had two years in which to secure evidence tending to show the names of the ancestors through whom he claims and that during said time he has failed to submit such additional proof.

The evidence being insufficient to determine the identity of Ben Webster as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, it is the opinion of this Commission that the application for his identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Tamm Bixby.

Acting Chairman

T. B. Needles

Commissioner

C. R. Breckinridge.

Commissioner

Muskogee, Indian Territory

FEB 3 1903

H.S.N. 2000.

Muskogee, Indian Territory, August 22, 1903.

W.V. Sullivan,

Attorney at Law,

Oxford, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st inst., in which you state that you represent Ben Webster, of Orwood, Mississippi, who has recently received instructions from the Commission as to how he should proceed in establishing his rights to be enrolled as a Choctaw. You enclose "ex parte affidavits" of Mrs. H.O.M. Bayburn and Martha Mayes, with typewritten copies of the same. In conclusion, you state that these papers are informal and a deposition of each of the witnesses must be taken, and ask for thirty days time within which to do this.

You are informed that it appears from the records of the Commission that Ben Webster is an applicant for identification as a Mississippi Choctaw.

The documents, which are merely pencil memoranda are herewith returned you, for the reason that they cannot be accepted as evidence in their present shape.

W V S 2

You will be allowed thirty days from the date hereof within which to file the depositions of the witnesses. Such depositions will receive the consideration of the Commission when taken in accordance with the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Sharecroppers, a copy of which rules is herewith enclosed.

Yours truly,

E.R. Day,

Acting Chairman.

Enc. B.I. 24.

N.O.R. 3938

Muskogee, Indian Territory, December 2, 1902.

W. V. Sullivan,

Oxford, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, enclosing the affidavit of Ben J. Webster and interrogatories to be propounded to Martha Mayes, Mrs. E. O. M. Rayburn, and Miss F. A. E. Cox, witnesses in the matter of the application of Ben J. Webster for the identification of himself as a Mississippi Choctaw, and the same are returned to you for the reason that they are not in conformity with the rules and regulations of the Commission governing the taking and submission of depositions in support of applications for identification as Mississippi Choctaws.

A copy of said rules and regulations are herewith enclosed and your attention is invited to Rule 2, Sections A, B, C, D, and E.

Respectfully,

Enc.
R. & R. Dep.
R. B. E. 201.

Acting Chairman.

Huskogee, Indian Territory, December 17, 1902.

W. V. Sullivan,

Attorney at Law,

Oxford, Mississippi.

Dear Sir:

The Commission is in receipt of your communication of December 15, inclosing the affidavit of Ben J. Webster, an applicant for identification as a Mississippi Choctaw, wherein he sets forth his reasons for desiring to have the depositions of Mrs. E. O. M. Rayburn Martha Mayes and Miss F. A. E. Cox, taken in support of his application; also interrogatories to be propounded to said witnesses and copies thereof, which you have asked the Commission to forward to the Attorneys for the Choctaw and Chickasaw Nations, in a stamped envelope which you said you inclosed in your letter but which was found to be missing, presumably through an oversight of yours in making the enclosure.

These documents are returned to you for the reason that you failed to comply with section E of rule 2, and rules 12 and 13 of the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws, which provide that a copy of the interrogatories to be propounded to a witness, be served upon the

W. V. Sullivan, --2

attorneys for the Choctaw and Chickasaw Nations, and that proof of such service be filed with the Commission.

For your guidance in this matter the Commission desires to suggest that you send the original interrogatories, together with copy thereof to the United States Marshall for the Central District at South McAlester, Indian Territory, with instructions to serve a copy upon Messrs Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, and thereafter return to you the original interrogatories with the proof of services of the copies endorsed on the back thereof.

When you have received said original interrogatories from the Marshall, you can then forward them to the Commission, together with the applicants affidavit and if the same are in due form, they will be filed with and made part of the record in the application of Ben J. Webster, and when the required time is elapsed for the filing of cross interrogatories by the attorneys for the Choctaw and Chickasaw Nations, a commission will be issued for the taking of said depositions and forwarded to you to be placed in the hands of an officer authorized by law to take same.

Respectfully,

Enc. H.O. 1,2,3.

Acting Chairman.

COPY,

M.C.R. 3938

Muskogee, Indian Territory, February 3, 1903

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 3rd day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the case of Ben Webster, an applicant for identification as a Mississippi Choctaw.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495).

Said decision concludes as follows:

"The evidence being insufficient to determine the identity of Ben Webster as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, it is the opinion of this Commission that the application for his identification as such should be refused and it is so ordered."

You are further advised that the applicant in this case has been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tams Dixby.

Acting Chairman.

COPY.

Muskogee, Indian Territory, February 3, 1903.

Ben Webster,

Orwood, Mississippi.

Dear Sir:

You are hereby advised that on the 3rd day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the case of Ben Webster, an applicant for identification as a Mississippi Choctaw.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"The evidence being insufficient to determine the identity of Ben Webster as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, it is the opinion of this Commission that the application for his identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case to-

-2-

gether with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

Tams Bixby.
Acting Chairman.

Registered.

M.C.R. 3938.

Muskogee, Indian Territory February 4, 1903.

W. V. Sullivan,

Attorney at Law.

Oxford, Mississippi.

Dear Sir:-

The Commission is in receipt of your communication of January 28, 1903 enclosing the affidavit of Ben J. Webster wherein he sets forth his reasons for desiring to have certain depositions taken in support of his application for identification as a Mississippi Choctaw, also the interrogatories to be propounded to said witnesses.

These documents are in proper form but are returned to you for the reason that a decision has been prepared in the application of Ben J. Webster and you have on this day been notified that you will have fifteen days from the rendition of said decision in which to file a written argument in support of said application.

In order for you to secure further time for the submission of additional evidence it will be necessary for you to make a formal motion to this Commission to that effect and if the same is not done within fifteen days from this date, the record in

W. V. S. -2

this application will be forwarded to the Secretary of the
Interior.

Respectfully,

Acting Chairman.

2 End.
1 C. B.
2 C. D.

Muskogee, Indian Territory, February 13, 1903.

W. V. Sullivan,
Attorney-at-Law,
Oxford, Mississippi.

Dear Sir:-

The Commission is in receipt of your communication of February 10th, 1903, enclosing the affidavit of Ben J. Webster and interrogatories to be propounded to certain witnesses, whose depositions you desire to have taken in support of the application of the said Ben J. Webster for identification as a Mississippi Choctaw. It is noted that you assign certain reasons why these documents have not been filed with the Commission prior to this time; these reasons you have failed to put in the form of a motion as you were notified on February 4th, it would be necessary to do in order for this application to be re-opened, the same having been decided by the Commission on February 3rd, at which time you were notified that you would be allowed fifteen days in which to file a brief and argument in support of said application, at the expiration of which time the record, together with such brief and argument as you might have filed, would be forwarded to the Secretary of the Interior.

The documents enclosed in your letter of February 10th, are herewith returned to you for the reason that they were not accom-

W. V. Sullivan- #2.

panied by a formal motion to re-open the application of Ben J. Webster in order that depositions might be taken therein, and for the further reason, which was overlooked in returning them the first time, that rule 2 of the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws is not fully complied with herein it sets forth that an applicant desiring to have a commission issued for the taking of a deposition must first file his affidavit setting forth a summary of the evidence sought to be adduced in the taking of the said deposition, and further stating therein that said evidence is material to this case. As will be noted the affidavit of Ben J. Webster simply sets forth that he expected to show by the witness named that he was an Indian of the Choctaw tribe, but he does not state therein that he can prove by these witnesses that the ancestor from whom he claims to have derived his Choctaw blood was a beneficiary under article fourteen of the treaty of 1830, which is the material point in an application for identification as Mississippi Choctaws.

Respectfully,

Enclosures:
J.L.D. 1 and 3.

Acting Chairman.

COPY

Muskogee, Indian Territory, February 12, 1903.

The Honorable

The Secretary of the Interior,

Sir:

There is transmitted herewith the record in the case of Ben Webster, an applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of February 3, 1903.

The Commission has the honor to report that the applicant herein and the attorneys for the Choctaw and Chickasaw Nations, have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED).

Lewis Bixby

Acting Chairman.

Through the
Commissioner of Indian Affairs.

2 inclosures: M.C.N. 2033

Muskogee, Indian Territory, March 11, 1903.

W. V. Sullivan,
Attorney at Law,
Oxford, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 19, 1903, enclosing affidavit of Ben J. Webster and petition and interrogatories for taking of depositions in support of the application of Ben J. Webster for identification as a Mississippi Choctaw, and the same are returned to you herewith for the reason that on February 3, 1903, the Commission rendered its decision refusing this application, of which action applicant was duly notified on the same date, and was advised that he would be allowed fifteen days from that date within which to submit argument to be forwarded to the Secretary of the Interior. On February 19, 1903, the record in this case was transmitted to the Secretary of the Interior, and pending departmental action no further evidence can be received in this case.

Respectfully,

W.O.R. 3036.

Muskogee, Indian Territory. April 8, 1903.

Ben Webster,

Orwood, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th ultimo, in which you state "owing to sickness, bad roads and such a short while allowed to get means to go on, is why I have delayed; you may look for me on the 17th or 21st of April."

Replying to your letter, you are informed that the fifteen days from March 3, 1903, heretofore granted you within which to file arguments in support of your claim to be forwarded to the Secretary of the Interior, expired February 18, 1903.

On February 18, 1903, the record in your case, together with the decision of the Commission refusing your application, was forwarded to the Secretary of the Interior.

Pending action thereon by him, the Commission cannot receive or consider further evidence in support of your claim. You will be duly notified of such action as may be taken by the Secretary of the Interior.

Respectfully,

Commissioner in Charge. ✓

Land
12797-1903
20827-1903.

(COPY)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
WASHINGTON, June 4, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is inclosed herewith a report from the Commission to the Five Civilized Tribes dated February 19, 1903, forwarding for the Department's consideration the record relative to the application of Ben Webster for the identification of himself as a Mississippi Choctaw.

February 3, 1903, the Commission held that the applicant was not entitled to identification.

The original record transmitted by the Commission shows that the applicant claims the right to identification by reason of descent from his father whose name he does not give.

March 3, 1903, W. D. Sullivan, attorney for the applicant, transmitted certain correspondence relative to the case, and also certain interrogatories that he desires to have answered by persons mentioned in the correspondence. The papers transmitted by Mr. Sullivan show that Ben Webster, the applicant claims that Fannie Webster, who was owned by William Webster Sr., was his mother and that she was in part of Choctaw Indian

blood. This correspondence shows that Ben Webster's father was named Belden Robinson; that he lived in Virginia; and that he was a full blood Choctaw Indian.

The records of this office do not show that any one by the name of Webster or any one by the name of Robinson complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 or that they applied to the Commissioners appointed under the acts of March 3, 1837 and August 23, 1842, and the office cannot therefore see that it will be of any benefit to this applicant to return the record to the Commission with direction to take further proceedings.

In view of what the records of this office show, it is respectfully recommended that the decision of the Commission adverse to the applicant be approved.

Very respectfully,

(Signed)

A. C. TONNER

Acting Commissioner.

G.A.V.(B)

(COPY)

D.C.No.17225.

W C F

DEPARTMENT OF THE INTERIOR.

RAF

Washington.

ITD.4884-1903.

June 9, 1903.

L. W. S.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

February 19, 1903, you transmitted the record in the matter of the application for identification of Ben Webster as a Mississippi Choctaw, including your decision of February 3, 1903, refusing the application.

It appears that the original application was made December 20, 1900. The decision of the Commission was rendered February 3, 1903.

The evidence furnished by the record shows that the applicant claims rights to Choctaw lands under article 14 of the treaty of 1830, through his father, whose name he does not know, it being alleged that he was of Choctaw Indian blood.

March 3, 1903, W. D. Sullivan transmitted certain correspondence relative to the case, showing that the applicant claims that Fannie Webster, who was owned by William Webster, Sr., was his mother, and that she was, in part, of Choctaw Indian blood. Said corre-

spendence also shows that the applicant's father was named Belden Robinson; that he lived in Virginia, and that he was a full blood Choctaw Indian.

The record evidence and the correspondence transmitted by W. D. Sullivan fail to show that any of said ancestors complied or attempted to comply with the provisions of article 14 of the treaty of 1830, or the subsequent acts of Congress relating thereto.

Reporting June 4, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved, and states that the records of the Indian Office fail to show that any one by the name of Webster or Robinson complied or attempted to comply with said article or acts. A copy of his letter is inclosed.

After carefully reviewing the papers in the case the Department finds no reason to disturb your decision, and the same is hereby affirmed.

Respectfully,

(Signed)

THOS. RYAN,

Acting Secretary.

1 inclosure.

M C R 3935

COPY:

Muskogee, Indian Territory, July 17, 1903.

Mansfield McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 9th day of June 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as a Mississippi Choctaw of Ben Webster of which decision you were advised by mail on the 3rd day of February 1903.

Respectfully,

(SIGNED)

T. B. Needles.
Commissioner in Charge.

M C R 3935

COPY:

Muskegee, Indian Territory, July 17, 1903.

Ben Webster,
Orwood, Mississippi.

Dear Sir:

You are hereby notified that on the 9th day of June 1903, the Secretary of the Interior affirmed the decision of this Commission refusing your application for identification as a Mississippi Choctaw of which decision you were advised by registered mail on the 3rd day of February, 1903.

Respectfully,

(SIGNED) *L. B. Jackson*
Commissioner in Charge.

Miss. Choctaw
1287; 4935; 4552.

Muskogee, Indian Territory, August 22, 1903.

T. V. Sprinkle,

Attorney at Law,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 19, asking for copies of the testimony in the applications for identification as Mississippi Choctaws of James Ochiltree, et al., Samuel C. Caldwell, et al. and Ben Webster.

In reply to your letter you are informed that it appears from our records that one of these applicants has an attorney of record, A. S. McRea, and no attorney of record appears in the other cases, and before the Commission can furnish you copies of the testimony requested it will be necessary for you to forward a written authorization from each of the principal applicants in these cases, constituting you their attorney of record. The matter of your request will then receive proper consideration.

Respectfully,

Commissioner in Charge

Muskogee, Indian Territory, April 21, 1904.

Ben J. Webster,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 25, 1904, addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. You ask to be advised relative to the status of your application for identification as a Mississippi Choctaw, and that you be furnished with copies of the Choctaw and Creek treaties.

In reply to your letter you are informed that on June 9, 1903, the Secretary of the Interior approved the decision of the Commission refusing your application for identification as a Mississippi Choctaw, of which Departmental action you were duly notified on July 17, 1903, at Orwood, Mississippi, your last known postoffice address.

The Commission now considers your case closed, and it is not believed that you are in any manner entitled to possessory rights in the tribal property of the Choctaw and Chickasaw Nations.

A copy of the Choctaw-Chickasaw supplemental agreement

B. J. W., B.

and also a copy of the Creek supplemental agreement are herewith enclosed you.

Respectfully,

Chairman.

JYM-27.

Muskogee, Indian Territory, May 14, 1904.

Ben J. Webster,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, acknowledging receipt of our letter of April 21, 1904, but state that you did not receive our letter dated July 17, 1903, in which you were informed that the Secretary of the Interior had affirmed the decision of the Commission refusing your application for identification as a Mississippi Choctaw, and ask that copies of such papers be now forwarded you. You also ask for an explanation of paragraph 42 of the Choctaw-Chickasaw supplemental agreement.

In reply you are advised that our letter to you under date of July 17, 1903, addressed to Orwood, Mississippi, was returned to this office marked "unclaimed." Said letter, together with copy of Departmental letter of June 9, 1903, is herewith enclosed.

Relative to that part of your letter asking for an explanation of paragraph 42 of the Choctaw-Chickasaw supplemental agreement, you are advised that the Commission does not render opinions

B. J. W., 2.

upon hypothetical questions, and cannot attempt to interpret the meaning of the different provisions in treaties, except where the same is involved in some particular case pending before the Commission.

Respectfully,

Chairman.

JYK-52.

625-1907
8627-1907

Muskogee, Indian Territory, September 12, 1907.

Ben Webster,

McAlester, Indian Territory.

Dear Sir:

This office is in receipt, by reference from the Commissioner of Indian Affairs, Washington, D. C., of your letter of August 16, 1907, addressed to the Secretary of the Interior. In said letter you make certain statements relative to your claim to identification as a Mississippi Choctaw and ask that you be given what is justly due you.

In reply you are advised the records of this office show that at Hattiesburg, Mississippi, on December 20, 1900, you made application for identification as a Mississippi Choctaw, and on February 3, 1903, the Commission to the Five Civilized Tribes rendered a decision holding that the evidence submitted by you failed to show that you were entitled to such identification. This decision was affirmed by the Secretary of the Interior June 9, 1903.

The rolls of citizenship of the Five Civilized Tribes were closed March 4, 1907, and there is now no authority of law for the consideration of your claim.

Respectfully,

Acting Commissioner.

Date Dec. 20. 1900.

Name Ben Webster

Age 45 Blood

Post Office, Orwood, Mis.

Father: Don't know

Mother: Fanny Webster

Claims through father

Children:

Stenographer Frances P. Brown

Choctaw MCR 3936

Josephine Ivy

MCR 3936

Ans.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskogee, Indian Territory, April 16, 1903.

In the matter of the application of Josephine Ivy for permission to represent her children as applicants for identification as Mississippi Choctaws, M.C.R. 3936.

----O R D E R ----

It appearing that there has been carded on Mississippi Choctaw R. card No. 3936, what purports to be the application of Josephine Ivy, et al., for identification as Mississippi Choctaws; and it further appearing from the testimony taken by the Commission on January 23, 1901, in connection with said matter, that no application was made by the said Josephine Ivy, it is hereby ordered that Mississippi Choctaw card R. 3936 be cancelled and considered of no force and effect.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Chairman


COMMISSIONER.


COMMISSIONER.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, INDIAN TERRITORY, JANUARY 23, 1901.

In the matter of the application of Josephine Ivy for permission to represent her children in an application for identification as Mississippi Choctaws. Josephine Ivy, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Josephine Ivy.
Q What is your age? A Forty seven.
Q Post office address? A Kathleen, Brown County, Texas.
Q How long have you lived there? A Eleven years.
Q And before that where did you live? A You mean where I was formerly from?
Q Yes ? A I was raised in Eastern Texas, Harrison County, Texas.
Q Born there? A Yes sir.
Q Did you go to Kathleen from there? A No sir.
Q Where did you go from there? A I went from Lampasas to Brown County
Q You were born where did you say? A I was born in Harrison County, Texas.
Q And went to Lampasas from there? A Yes sir.
Q And went to Kathleen from there? A Yes sir.
Q Never lived in Mississippi? A No sir.
Q What is your father's name? A Tisdale, T. H. Tisdale.
Q Is he living? A No sir.
Q What is your mother's name? A Mary.
Q Living? A No sir.
Q Through which one of these parents do you claim Choctaw blood?
A From neither one of them.
Q Both of them? A Neither one.
Q What are they both, white? A Yes sir, I am here to represent two children.
Q You are a white woman, are you? A Yes sir, I suppose I am.
Q Do you know whether you are or not? A Well, I don't know whether I am or not, but I suppose I am.
Q You don't claim to be Indian? A No.

It develops from further questioning that these children have a guardian legally appointed for them, and this applicant cannot be heard.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported the proceedings in the above entitled cause on January 23, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

Subscribed and sworn to before me this 2nd day of November, 1901.

Anna Bell
Notary Public.

Muskogee, Indian Territory, April 15, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

There has been transmitted to the Mississippi Choctaw Legal Department, for the preparation of a decision, which purports to be an application made by Josephine Ivy for the identification of her two minor children as Mississippi Choctaws. It appearing from the testimony taken in the matter, that no application was ever made, no decision can, therefore, be prepared and it is respectfully suggested that the enclosed order be signed by the Commission in order that field card, M.C.R. 3986, may be cancelled.

Respectfully,

Enclosures:
J. D. #1.

For Identification as a Mississippi Choctaw

Date Jan. 23, 1901

Name Josephine Ivy

Age 47 Blood L. W.

Post Office, Kathleen, Texas

Father: T. H. Tisdale (dead)

Mother: Mary Tisdale (dead)

Claims through

Children:

Claims for 2
children who have
legal guardian
appointed for them

Stenographer

Anna Bell

Choctaw MCR 3937

Josiah S. Hart

MCR 3937

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

— o —

In the matter of the application of Josiah S. Hart, et
al., for identification as Mississippi Choctaws, M.C.R. 3987.

List of papers forwarded to the Secretary of the Interior,
comprising the record in the case of Josiah S.
Hart, et al.

(Page)

Original application of Josiah S. Hart et al. before the Daves Commission for identification as Mississippi Choctaws	1
Affidavit of J.W. Davenport	7
Affidavit of B.A. Vansickle.....	8
Affidavit of Josiah S. Hart.....	8
Decision of the Commission denying the application of Josiah S. Hart et al. for identification as Mississippi Choctaws	10

— o —

to Willis Bawenport,
Vernacle Nanty County Wmss.,

interrogatories to be answered in support of the case of
Josiah S Hart et al for identification as Mississippi Choctaw Indians.

Inty 1: What is your name , age, residence, and occupation.

Inty 2: Are or were you ever acquainted with John Hart sr, and if
so where did you know him and how long?

Inty 3: Did you ever know John Hart jr , and if so where did you
know him and for how long?

Inty 4: Do you know Josiah Hart, if so who was his father and grand
father if you know, and where does Josiah S Hart now live?

Inty 5: Do you know of what nationality the said John Hart sr and
his son John Hart jr were, if so state of what nationality they were?

Inty 6: If you state in Inty 5 that John Hart sr and John Hart jr
were Mississippi Choctaw Indians, please state about how much they were,
that is were they, 1/8, 1/4, 1/2 or full bloods?

Inty 7: Do you wheather or not the said John Hart sr spoke any
other language, than English, if so what other language did he speak?

Inty 8: Do you know of what nationality the said Josiah S Hart is,
if so please state of what nationality he is?

Inty 9: Do you know any thing of the mother and grand mother of
the above named Josiah S Hart, if so tell us all you know of them?

Josiah S Hart

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3937

In the matter of the application of Josiah S. Hart for the identification of himself and his two minor children as Mississippi Choctaws.

John Lenden attorney for applicant.

Josiah S. Hart being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Josiah S. Hart. (Spells it.)
Q What is your age? A Thirty eight.
Q What is your post office address? A Byrne, Indian Territory.
Q How long have you lived at Byrne? A About a couple months.
Q Where did you live before you lived there? A I lived in the Indian Territory for the last two or three years and the balance of the time in Texas.
Q Where were you born? A Texas.
Q What part of Texas? A Wise County.
Q What is your father's name? A John Hart.
Q Is he living? A No sir, he is dead.
Q What is your mother's name? A Betsey A. Hart.
Q Living or dead? A She is dead.
Q Through which parent do you claim Choctaw blood? A Father and mother too.
Q Both? A Yes sir.
Q How much Choctaw blood do you claim? A Well, I can't tell you.
Q You don't know? A No sir.
Q How much did your father claim? A He just claimed Indian; that's all I know about it.
Q What kind of Indian? A Choctaw.
Q How much Indian blood did your mother claim to have? A She just claimed Indian she didn't recollect how much they say.
Q Did you ever hear her say what kind of Indian? A Choctaw.
Q Do you know nothing further? A No sir.
Q Have your parents ever been recognized in any way or enrolled as members of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A As far as knowing, I don't know; but I have been informed that my father was on the record.
Q What record? A The Mississippi Record.

- Q In the old Choctaw Nation in Mississippi or Alabama? A Yes sir.
- Q Was he a recognized member of the Choctaw tribe of Indians in that nation to your certain knowledge? A I am pretty sure he was; I only know what I have been told.
- Q Who told you? A I have heard my father say that he was recognized.
- Q Who was? A My father.
- Q How old would your father be if he were living now? A Between eighty and ninety.
- Q That Nation ceased to exist as a Nation in Mississippi and Alabama in 1831- that's about seventy years ago- and you say your father was a little older than that; he must have been recognized as a Choctaw Indian down there when he was a boy; do you know that's true? A As for knowing, I don't know; I just know what he told me and that's all I know.
- Q You have no further proof except what he told you? A No sir.
- Q When were your father and mother married? A I have no dates.
- Q Do you know where they were married? A No sir.
- Q Do you know whether it was by a minister and under a license? A They was married by a minister.
- Q Have you proof of their marriage with you? A No sir.
- Q Do you think you can introduce it later or do you care to? A I think I can.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Catherine R. Greer was her maiden name; she is dead.
- Q You have children by her? A Yes sir.
- Q Was she a white woman? A Yes sir.
- Q Are you married now? A No sir.
- Q You haven't married again? A No sir.
- Q Have you any minor children you want to make application for? A Yes sir; Nannie K. Hart.
- Q How old is she? A Ten years old.
- Q Next? A Sarah J. Hart.
- Q How old is she? A Four years old.
- Q Is that all the children? A Yes sir.
- Q You claim for yourself and children, do you? A Yes sir.
- Q Is Catherine Hart the mother of these children? A Yes sir.
- Q You are the father? A Yes sir.
- Q When and where were you married to her? A Long View Texas.
- Q What date? A August 6th, 1890.
- Q Minister and under a license? A Yes sir.
- Q Have you your marriage license and certificate with you? A To-yes sir. I haven't them with me but I have it.
- Q You expect to produce it? A Yes sir.
- Q Is your name or the name of your oldest child on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation for yourself and oldest child to the Choctaw tribal authorities in Indian Territory? A No sir.
- Q Have you ever made application for yourself and child for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A How's that?
- Q Have you ever made application for yourself and child to the Dawes Commission under act of June 10, 1896, for citizenship in the Choctaw Nation? A No sir, this is my first.

Q Then you never have been admitted to citizenship in the Choctaw Nation either you or your children by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.

Q Is this the first application you have ever made of any description for yourself and children? A Yes sir; this is the first.

Q You now come before the Commission for the purpose of getting your self and children identified as Mississippi Choctaws claiming under article fourteen of the treaty of 1830? A Yes sir.

Q You understand that article of the treaty of 1830? A I am not sure; I believe I do.

Q If you are not sure, you will have to have it explained. The treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw tribe of Indians on the 27th day of September, 1830. The object of the treaty was the removal of all the Choctaw Indians from the old Choctaw Nation in Mississippi or Alabama to the new Choctaw Nation, Indian Territory. Before the treaty was signed it became known that a good many Choctaw Indians would refuse to go to the new Choctaw Nation, Indian Territory and in order to protect their interests article fourteen was put into the treaty. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become citizens of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of Choctaw citizens but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q You think you understand that? A Yes sir.

Q Do you know whether any of your Choctaw ancestors ever complied or attempted to comply with any of the provisions of article as read to you? A No sir; I don't know.

Q What was the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A John Hart and Betsey Ann Hart.

Q Both of them? A Yes sir.

Q Well, you claim through both your father and mother? A Yes sir.

Q And you are giving me now the names of your parents? A Yes sir.

Q Well, I mean back farther than that; who was the ancestor who lived in Mississippi in 1830 through whom you claim by your father; which of his parents do you claim through? A His father and mother both.

Q Do you mean to say John Hart's father was an Indian? A Yes sir.

Q And John Hart's mother was an Indian; not what appears to you, but what you know. A Well, they was both part.

Q Was John Hart a full blood? A No sir.

Q Was his father? A No sir.

Q Was his mother? A No sir.

Q Well, how much did they have? A Grandfather had a half.

Q What was his name? A I don't know his given name.
 Q His name was Hart? A Yes sir.
 Q What was his wife's name? A I don't know.
 Q Well, you claim through these two, your father's father and your father's mother, do you? A Well, I just claim through my father.
 Q Well, you answer my question; you claim through your father, John Hart, and he claimed through his father and mother, so you say; therefore you claim through these two, don't you? A Well, I guess so.
 Q Well, don't you know? Say so? A I don't know.
 Q Can you go back any farther than your father's father and your father's mother? A No sir.
 Q Were they full bloods or not? A Well, he was supposed to be a full-blood I believe.
 Q I don't want any believe- A My information is that my grandfather was straight Indian; that would be full-blood.
 Q Did he ever live in Mississippi or Alabama? A He lived in Mississippi.
 Q In 1830? A Yes sir.
 Q Was he a recognized member of the Choctaw tribe of Indians there in 1830? A Yes sir.
 Q How do you know? A I was taught that.
 Q You were told that? A Yes sir.
 Q Who told you? A My father and grandfather.
 Q Who was that? A My father's father.
 Q Well, then his wife was how much Choctaw Indian? A I don't know; she just claimed Indian; I am not sure about that; only by my parents taught me that.
 Q Did she live in Mississippi or Alabama? A In Mississippi.
 Q Do you claim back any farther than your grandfather and grandmother? A No sir.
 Q You claim through your mother, Betsey A. Hart? A Yes sir.
 Q How much Choctaw Indian was she? A I don't know.
 Q You say you claim through her mother or father, or both? A Her father.
 Q What was his name? A Burton.
 Q Do you know the full name? A No sir.
 Q Did he live in Mississippi or Alabama in 1830? A I don't know; I can't say.
 Q Was he a recognized member of the Choctaw tribe of Indians in Mississippi or Alabama in 1830? A I don't know.
 Q Did your father ever live in Mississippi or Alabama? A My father lived in Mississippi.
 Q Was he born in Mississippi? A Yes sir.
 Q When? A I don't know.
 Q Where did he die? A In Texas.
 Q What time?----
 Q If you remember, say so. A I don't remember.
 Q When and where was your mother, Betsey A. Hart born? A I don't know.
 Q When and where did she die? A In Texas.
 Q Do you remember the date? A No sir; about thirty years ago was when he died.
 Q How old would she be if living now, do you know? A She would be about seventy years old.
 Q How old would your father be if living now? A I don't know exactly; between eighty and ninety.
 Q Do you know what place in Mississippi either was born? A No sir; I don't know.
 Q Were your father's father and mother heads of families;-- did they have children in Mississippi in 1830? A Yes, I guess my father did; I don't know.

- Q Were any of your Choctaw ancestors owners of any improvements on land in Mississippi or Alabama in 1830? A Not that I know of.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama with the other Indians to the Choctaw Nation Indian Territory, between 1833 to 1838? A No sir; I don't know.
- Q Did any of your Choctaw ancestors within six months from the ratification of the treaty of Dancing Rabbit Creek go to the United States Indian agent, Col. Ward and tell him they wanted to stay there and take land in Mississippi? A No sir.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi under article fourteen of that treaty? A I don't know.
- Q Did any of them own or claim any land or benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A Well, I don't know that.

According to the provisions of article fourteen of the treaty of 1830 every Choctaw Indian who stayed in Mississippi was required to go to the Indian agent within six months from the ratification of the treaty of 1830 and tell him they wanted to stay in Mississippi and take land there and become citizens of the States. The United States Indian agent was required to make a list of all the Indians who did that; put them on his register. Ward's Register contains the names of a few of those who came before him. On account of his neglect to make a full list of the Indians who came before him a good many Indians who held land in Mississippi and Alabama lost the land; they were taken from them by the Government and sold. This caused so many complaints among the Choctaw Indians that finally in 1837 by Act of Congress approved March 3, a Commission was appointed and this Commission went to the State of Mississippi and heard all claimants that desired to come before him- it- and proved their rights under article fourteen of the treaty of Dancing Rabbit Creek. In 1842 another Commission was appointed by Congress for the same purpose and this Commission heard all claimants who came before it claiming rights under article fourteen of that treaty

- Q Did any of your ancestors go before either of these Commissions and claim benefits under article fourteen? A I don't know.

The Act of Congress of August 23, 1842, provided that if any claimant appeared before the Commission of 1842 and proved his claim if it also appeared that his land had been taken from him by the Government that he should be entitled to select land from Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land; and that a certificate to that effect should be given him. These certificates were called scrip.

- Q Did any of your ancestors receive any such scrip from the Government as Choctaw Indians? A Not that I know of.
- Q Have you any documentary evidence you would like to present now?
- A No sir.

Reasonable time will be allowed this applicant to introduce same

- Q Do you understand or speak the Choctaw language? A I don't understand.
- Q You don't know anything about it do you? A I probably speak a

word or two; but to speak the language I cannot.

Applicant has the appearance and physical characteristics of being descended from white parents; has brown eyes, medium dark complexion, dark brown hair and mustache; does not understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

-o-o-o-o-o-o-o-o-o-o-o-o-

Henry G. Hains being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 21st day of November, 1901.

Christina M. Wood

Notary Public.

Wm. C. C. C.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

— 2 —

In the matter of the application of Jasiah S. Hart, et
al, for identification as Mississippi Choctaws, M.O.R. 2227.

—: D E C I S I O N :—

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
by Jasiah S. Hart for himself and his two minor children, Annie
K. and Sarah J. Hart, under the following provision of the act
of Congress approved June 20, 1896, (29 Stats., 493):

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may
administer oaths, examine witnesses and perform all other
acts necessary thereto and make report to the Secretary of
the Interior."

It also appears that all of said applicants claim rights
in the Choctaw lands under article fourteen of the treaty between
the United States and the Choctaw Nation, concluded September

Twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one John Hart, who is alleged to have been a half blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty, and of one Tabitha Ann Hart (nee Reid), and of Betsey Ann Hart (nee Burton) both of whom are alleged to have been possessed of Choctaw blood (degree thereof not stated).

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 521).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that this said John Hart, or Tabitha Ann Hart (nee Reid), or Betsey Ann Hart (nee Burton),

-8-

by ancestors less remote, signifies (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180) and August 23, 1842, (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Josiah S. Hart, Nannie K. Hart and Sarah J. Hart as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman


Commissioner


Commissioner

Muskogee, Indian Territory,

SEP 5 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 23, 1901.

Josiah S. Hart,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant enclosing the affidavit of B. A. Vansickle offered by you for filing in support of your application for identification as a Mississippi Choctaw. The same has this day been filed and made a part of the record of such application.

You also enclose in your letter the affidavit of Josiah S. Hart together with a copy of nine interrogatories to be propounded to Benjamin A. Vansickle and William Davenport of Vansickle, Hunts County, Texas, as the depositions of these persons to be filed with and made a part of the application of Josiah S. Hart for identification as a Mississippi Choctaw. The same are returned to you herewith for the reason that the application for the taking of the depositions of these two persons is not in conformity with the rules and regulations of the Commission governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws of November 4, 1901, a copy of which is enclosed you herewith.

J S H 2

This Commission cannot issue a commission for the taking of a joint deposition and separate interrogatories should be prepared for each witness to be examined. The mere statement in your letter that you have forwarded a copy of these interrogatories to the attorneys of the Choctaw Nation is not sufficient proof of service of notice. Rule 13 of the rules and regulations herewith enclosed, provides as follows:

"Proof of personal service shall be made where service is required by the written acknowledgment of the party served or by the affidavit of the party making such service."

There is nothing in the papers submitted by you to indicate that any personal service has ever been made upon Messrs. Mansfield, McMurray & Cornish, attorneys for the Choctaw Nation, of a notice to take the depositions of these persons or a copy of the interrogatories to be propounded.

Yours truly,



Commissioner in Charge.

Enc y 74

M C R 3937

M.C.R. 3937.

COPY

Muskogee, Indian Territory, September 5, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Josiah S. Hart, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of September 5th, 1902.

The Commission has the honor to report that the principal applicant herein, his attorney of record, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Acting Chairman.

Through the

Commissioner of Indian Affairs.

1 inclosure.

COPY.

Muskogee, Indian Territory, September 5, 1902.

Wansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 5th day of September 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Josiah S. Hart, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Josiah S. Hart, Mammie K. Hart and Sarah J. Hart as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

M. McN. & C. #2.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Tamm Birby.
Acting Chairman.

M.C.N. 3937.

COPY.

Muskogee, Indian Territory, September 5, 1902.

Jehn London,
Attorney at Law,
Poteau, Indian Territory.

Dear Sir:

You are hereby advised that on the 3th day of September 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Josiah S. Hart, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Josiah S. Hart, Nannie K. Hart and Sarah J. Hart as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said

J.L. #2.

article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

James D. Gandy
Acting Chairman.

Registered.

M.C.R. 3937.

COPY.

Muskogee, Indian Territory, September 5, 1902.

Josiah S. Hart,

Byrne, Indian Territory.

Dear Sir:

You are hereby advised that on the 5th day of September 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Josiah S. Hart, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Josiah S. Hart, Nannie K. Hart and Sarah J. Hart as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this

J.S.H. #2.

date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Tamc Dixby.
Acting Chairman.

Registered.

Land
55835-1902.

Department of the Interior
Office of Indian Affairs,
Washington, Nov. 11, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made September 5, 1902, by the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Josiah S. Haft and his two minor children, Nannie K., and Sarah J. for identification as Mississippi Choctaws claiming rights under the provisions of the fourteenth article of the treaty of 1830.

September 5, 1902, the Commission held that the applicants were not entitled to identification.

Descent is claimed through John Hart Jr., father of principal applicant, to John Hart Sr., and Tabitha Ann Hart (nee Reid), grandparents; descent is also claimed from one Burton (first name not given) and Betsey A. Burton (nee Hart), grandparents of the principal applicant.

The applicants are not full-blood Choctaw Indians. An examination of the records of this office fails to show that any of the alleged ancestors received a patent to land under the provisions of article fourteen of the treaty of 1830, or complied or attempted

---2---

to comply with the provisions of said article; neither does it appear that they applied to the Commissions appointed under the Acts of March 3 1837 and August 23, 1842 for an adjudication of their rights, if any they had, as Chostaw Indians.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications be affirmed.

Very respectfully,

Your obedient servant,

W.A. Jones,

Commissioner.

BBH
D

3 inclosures.

D.C. 22736

COPY

NAV.

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

ITD. 6999-1902.

November 21, 1902.

LRS.

Commission to the Five Civilized Tribes,
Muskogee, I.T.

Gentlemen:

September 5, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Josiah S. Hart and his minor children, Fannie K. and Sarah J. Hart.

The applicants endeavor to trace their descent from one John Hart, alleged to have been a one-half blood Choctaw Indian residing in Mississippi in 1830, and from one Tabitha Ann Hart (nee Reid), and Betsey Ann Hart (nee Burten), who are alleged to have been possessed of some Choctaw blood.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation or that any one of said alleged ancestors, or a less remote ancestors of the applicants, complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 160), and August 23, 1842 (5 Stat., 513). You refused the application September 5, 1902. Forwarding the papers

November 11, the Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed. The Department has carefully considered the case and hereby affirms your decision. 1 inclosure.

Respectfully, Thos. Ryan-- Acting Secretary

COPY. H. T. F. 8837.

Muskogee, Indian Territory, December 5, 1902.

Fansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 31st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaw of the several persons included in the case of Josiah S. Hart, et al., of which decision you were advised by mail on the 5th day of September, 1902.

Respectfully,

(SIGNED)

John F. Fox

Acting Chairman.

COPY.

H.C.R. 4837.

Okagee, Indian Territory, December 5, 1902.

John London,

Poteau, Indian Territory.

Dear Sir:

You are hereby notified that on the 31st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Josiah S. Hart, et al., of which decision you were advised by registered mail on the 8th day of September, 1902.

Respectfully,

(SIGNED)

James D. ...

Acting Chairman.

Mustang, Indian Territory, December 6, 1902.

Joniah S. Hart,

Byrne, Indian Territory.

Dear Sir:

You are hereby notified that on the 21st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Joniah S. Hart, et al., of which decision you were advised by registered mail on the 5th day of September, 1902.

Respectfully,

James Kirby
Acting Chairman.

No. 3457
For Identification as a Mississippi Choctaw.

Date NOV 2 1901

Name Josiah S. Hart

Age 38 Blood don't know

Post Office, ~~Berry~~ ^{Berry}, I.T.

Father; John Hart, - - d

Mother; Betsey A. " d

Claims through both parents.
wife - Catherine R. Hart, d
(white)

Children:

Nannie R. Hart,	10.
Sarah J. " "	4

Claims for self &
children

Stenographer H. M. Haines





Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Mr. Josiah S. Hart,

~~Caddo,~~
I. T.



3937

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

FEB 17 1902

Wm Joseph D. Hunt

[Signature]

ACTING CHAIRMAN



Commission to the Five Civilized Tribes
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
Penalty for private use, three times face value



[Signature]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 17 1902

ACTING COMMISSIONER



COMMISSION TO THE FIVE CIVILIZED TRIBES.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Mr Josiah S. Hart.

[Signature]

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

MUSKOGEE, IND. TER., November 4, 1901.

The following rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws have, on this date, been adopted by the Commission, and are promulgated for the information and guidance of all concerned.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAMS BIXBY,
Acting Chairman.

RULES AND REGULATIONS
GOVERNING THE PROCEDURE IN THE TAKING AND SUBMISSION
OF DEPOSITIONS
IN
SUPPORT OF APPLICATIONS FOR IDENTIFICATION AS
MISSISSIPPI CHOCTAWS.

Rule 1. Testimony may be taken by deposition in the following cases :

- (a) Where the witness is unable, from age, infirmity or sickness, to personally appear before the Commission to the Five Civilized Tribes.

- (b) Where the witness is a non-resident of the Indian Territory, or of the state of Mississippi.
- (c) Where from any sufficient cause it is apprehended that the witness may be unable to be present in person, in which case the deposition will be used only in the event that the personal attendance of the witness cannot be obtained.

Rule 2. The party desiring to take a deposition under Rule 1, must comply with the following regulations :

- (a) He must have made a personal application to the Commission to the Five Civilized Tribes for identification as a Mississippi Choctaw.
- (b) He must file with said Commission his affidavit setting forth one or more of the above named causes for taking such deposition; that the testimony of the witness is material to his claim, and specify the evidence sought to be adduced in the taking of such deposition.
- (c) He must file with said Commission the interrogatories to be propounded to the witness.
- (d) He must state the full name and residence of the witness.
- (e) He must serve a copy of the interrogatories on the opposing party, or on his attorney of record.

Rule 3. The opposing party will be allowed fifteen days, after the filing of the interrogatories, in which to file cross-interrogatories.

Rule 4. If cross-interrogatories are not filed by the opposing party within the fifteen days allowed by Rule 3, the Commission to the Five Civilized Tribes will file cross-interrogatories in the cause, and the said Commission may, in any event, file such additional interrogatories or cross-interrogatories as may seem proper.

Rule 5. After the expiration of the fifteen days allowed for filing cross-interrogatories, a commission to take the deposition shall be issued by the Commission to the Five Civilized

Tribes, which commission shall be accompanied by a copy of all the interrogatories filed.

- Rule 6.** The Commission to the Five Civilized Tribes, may designate any officer, authorized to administer oaths within the county or district wherein the witness resides, to take such deposition.
- Rule 7.** It is the duty of the officer before whom the deposition is taken, to cause the interrogatories appended to the commission to be written out and the answers thereto to be inserted immediately underneath the respective questions, and the whole, when completed, is to be read over to the witness, and must be by him subscribed and sworn to in the usual manner, before the witness is discharged.
- Rule 8.** The officer must attach his certificate to the deposition, stating that the same was subscribed and sworn to by the deponent at the time and place therein mentioned.
- Rule 9.** The deposition and certificate, together with the commission and interrogatories must then be sealed up, the title of the cause indorsed on the envelope, and the whole returned by registered mail or express to the Commission to the Five Civilized Tribes, Muskogee, Indian Territory.
- Rule 10.** Upon receipt of the deposition at the office of the Commission to the Five Civilized Tribes, the date when the same is opened must be indorsed on the envelope and body of the deposition by said Commission.
- Rule 11.** If the officer designated to take the deposition has no official seal, a proper certificate of his official character, under seal, must accompany his return.
- Rule 12.** Service on the Choctaw and Chickasaw Nations shall be had by serving the attorneys for said nations.
- Rule 13.** Proof of personal service shall be made, where service is required, by the written acknowledgment of the party served, or by the affidavit of the party making such service.

Choctaw MCR 3938

James H. Wilson

See MCR 3948

MCR 3938

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER, 1901.

3918

In the matter of the application of James H. Wilson for the identification of himself and his five minor children as Mississippi Choctaws.

John London attorney for applicant.

James H. Wilson being sworn states as follows:

Examination by the Commission:

- Q What is your name? A James H. Wilson.
Q What is your age? A forty two.
Q What is your post office address? A Richmond, Arkansas.
Q Where were you born? A In Little River County, Arkansas.
Q Do you remember what place in that County? A Yes sir; I was born right near Arden is now.
Q How long did you live in that County? A All my life.
Q You live there now? A Yes sir.
Q What is your father's name? A Celatus Wilson; (C-e-l-a-t-u-s)
Q Any middle initial? A No sir.
Q Is he living? A No sir.
Q Is your mother living? A No sir.
Q What was her name? A Julia.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No sir.
Q When and where were your father and mother married? A In Little River County, Arkansas.
Q Do you remember the date? A No sir; I don't.
Q Have you the proof of their marriage with you? A No sir.
Q Do you think you can furnish it? A I don't know.

You will be allowed reasonable time to do so if you desire.

Q Are you married? A Yes sir.
Q What is your wife's name? A Ella Wilson.
Q Is she a white woman? A Yes sir.
Q Do you make any claim for her? A No sir.
Q Have you any children you want to make application for? A Yes
Q What is the name of the eldest? A Ed.
Q How old is Ed Wilson? A Nineteen.
Q What is the name of the next? A Colatus.
Q C-o-l-a-t-u-s? is that right? A Yes sir.
Q How old is this one? A Seventeen.
Q Any others? A Yes sir; Burlah Wilson. (B-u-r-l-a-h-)
Q How old is Burlah? A She is fifteen
Q And Colatus is a boy? A Yes sir.
Q And Ed is a boy? A Yes sir.
Q Any others? A Ethel.
Q How old is Ethel? A Fourteen.
Q Next? A Mary; she is twelve.
Q Next? A That's all.
Q You claim for yourself and children? A Yes sir.
Q Was Ellen Wilson the mother of these children ever married before
she married you? A No sir.
Q Were you ever married before? A No sir.
Q She is the mother of these children? A Yes sir.
Q And you are the father? A Yes sir.
Q Are they all living with you at your home? A Yes sir.
Q When and where were you married to her? A In Little River
County, In september 27, 1881.
Q Have you the marriage license and certificate? A I haven't with
me; they will be filed.

You will be allowed time to do so.

Q When were your father and mother married? A I have no record
of that.
Q You think you can produce that? A Yes sir.
Q Is your name or are the names of these children on any of the
tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application for citizenship in the Choctaw
Nation for yourself and children to the Commission to the Five
Civilized Tribes under Act of Congress of June 10, 1896? A No sir.
Q Did you ever make application for citizenship in the Choctaw
Nation to any authority whatever before this time? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation
with your children by either the Choctaw tribal authorities, the
Commission to the Five Civilized Tribes or by United States Court
in Indian Territory? A No sir.
Q Do you now come before the Commission for the first time in be-
half of yourself and children that you may be identified as Miss-
issippi Choctaws under article fourteen of the treaty of 1830?
A Yes sir.
Q Do you understand that article of that treaty? A I don't know
as I understand it thoroughly; I have heard it read some.

The treaty of 1830 was made between the United States Govern-
ment and the Choctaw Indians living at that time in the old Choctaw

Nation in Mississippi and Alabama. The purpose of the treaty was the removal of all the Choctaw Indians from the old Choctaw Nation to the new Choctaw Nation in the Indian Territory. Before it was signed it became known that a large number of Choctaw Indians would not go to the Choctaw Nation, Indian Territory, and in order to preserve their rights and interests article fourteen was put into the treaty. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you understand this--? A Yes; I think I do.
- Q Do you know whether any of your Choctaw ancestors ever complied or attempted to comply with any of the provisions of that as read to you and explained? A No sir; I don't know.
- Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Tom. G. Love.
- Q What relation was he to you? A Grandfather.
- Q Did he live in Mississippi in 1830? A Well, I don't know; I think he did; I am not sure whether he was there at that time or not.
- Q Did he live there before that time, do you know? A Yes sir.
- Q Do you know from whom he claims his Choctaw blood? His father or mother? A No sir; I don't.
- Q Do you know his father's name? A No sir.
- Q Or his mother's name? A No sir.
- Q How much Choctaw blood did he have? A One half.
- Q How do you know he had a half? A I have been told that by my parents.
- Q You claim through your mother? A Yes sir.
- Q Her maiden name was Julia--? A Love.
- Q And this is her father--? A Yes sir.
- Q Where was your mother born? A I don't know.
- Q How old would she be if living now? A Sixty.
- Q Can you tell where Tom J. Love was born or died? A No sir.
- Q Did he speak the Choctaw language? A I can't tell you.
- Q Did he have an Indian name? A I don't know.
- Q Were any of your Choctaw ancestors owners of improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian

Agent that they wanted to stay in Mississippi and take land there?
A I don't know.

Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation in Indian Territory with the other Indians in 1833 to 1838? A I don't know.

Q Did any of your Choctaw ancestors own or claim any land in Mississippi under article fourteen of the treaty of 1830? A Not that I know of.

Q Did any of your ancestors own or claim any land or any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know; not that I know.

According to the provisions of article fourteen of the treaty of Dancing Rabbit Creek the Choctaws who stayed back there in the old Choctaw Nation in Mississippi and Alabama were required to go to the United States Indian agent within six months from the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there. The United States Indian agent whose name was Col. Ward was required to put the names of every applicant who came before him on a list; he failed to record the names of all who came before him under that article of that treaty. His, Ward's Register, contains only a few of the names of those who went before him and took advantage of article fourteen of the treaty. This neglect on his part caused a great many Indians who had land in the old Choctaw Nation to lose the land for it was taken from them by the Government together with the improvements they had on it and sold. This caused so many complaints that Congress March 3, 1837, appointed a Commission which went to Mississippi and heard claimants under article fourteen and made a list of all who appeared before it claiming under that article. In 1842 another Commission was appointed for the same purpose and this Commission went to Mississippi and heard claimants under article fourteen who desired to come before it and to secure their rights.

Q Do you know whether any of your ancestors appeared before either of these Commissions and claimed benefits under article fourteen of that treaty? A I don't know.

The Act of Congress approved August 23, 1842, provided that if any claimant came before it and proved his claim and if it also appeared that he had before held land there and it had been taken from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that a certificate to that effect should be given to him. These certificates were called scrip.

Q Do you know whether any of your Choctaw ancestors ever received or claimed any such scrip from the Government as Choctaw Indians?
A I don't know.

Q Have you any documentary evidence you want to present now? A No sir.

Q Would you like time? A Yes sir.

Reasonable time will be allowed this applicant in which to present documentary evidence or any proper evidence.

- Q Have you any relatives who have appeared before this Commission?
A Yes sir; Benjamin F. Love and John H. Love.
Q They claim through the same common ancestor? A Yes sir.
Q Do you want to have the testimony given in their cases considered with yours in order that you may get the benefit of it? A Yes sir.
Q Do you speak or understand the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; has medium light complexion blue eyes very light brown hair and mustache. He does not understand or speak the Choctaw language and has no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 8, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 22nd day of November, 1901.

Charles H. Wood
Notary Public.

COPY.

M.C.R. 3938

Muskogee, Indian Territory, July 18, 1902.

James E. Wilson,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3948
John H. Love, et al.,	" 3983
Will Love, et al.,	" 4296
Fannie Love,	" 4293
May Love,	" 4294
Bettie McConnell,	" 4295
Zeb Love,	" 4297
David A. Smith,	" 3945
Mattie A. Patterson, et al.,	" 4519
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie H. Perry, et al.,	" 3942
B. G. Brown,	" 3941
Fannie E. Coleman, et al.,	" 4063
Mabel Cobb, et al.,	" 4361
Miriam Coleman,	" 4802
Benjamin F. Love, et al.,	" 3932
Thomas J. Wilson, et al.,	" 3944
James H. Wilson, et al.,	" 3938

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Alexander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Fattie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert E. Brown, Charles T. Brown, A. P. Brown, Mattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy E. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Marie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Celestus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action.

J H V 100003

tion as may be taken by him,

Yours truly,

SIGNED

Registered,

Commissioner in Charge

COPY.

M.C.R. 3938

Muskogee, Indian Territory, October 11, 1902.

James H. Wilson,
Richmond, Arkansas.

Dear Sir;

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

(SIGNED)

E. B. Redden.

Commissioner in Charge.

No. 3938

For Identification as a Mississippi Choctaw.

Date NOV 2 1901

Name James H. Wilson

Age 42 Blood 1/8

Post Office, Richmond, Ark.
Colatus

Father: ~~Colatus~~ Wilson, d

Mother: Julia " d

Claims through mother
wife. Ella Wilson, w.
No claim for wife.

Children:

Ed Wilson, boy 19

Colatus " boy 17

Burlah " girl 15

Ethel " 14

Mary " 12

Claims for self &
children

Stenographer H. G. Harris.

Choctaw MCR 3939

Charles C. Brown

See MCR 3948

MCR 3939

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3939

In the matter of the application of Charles C. Brown for the identification of himself and his minor children, Mattie P., Albert S. and Charles T. Brown, as Mississippi Choctaws.

Applicants represented by John Landon, attorney.

Charles C. Brown being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Charles C. Brown.
Q What is your age? A Forty one.
Q What is your post office address? A Richmond, Arkansas.
Q How long have you lived at Richmond? A I have lived there in that Little River County, since I was born.
Q Were you born there? A Yes sir.
Q Always lived there? A Yes sir.
Q What is your father's name? A Thomas A. Brown.
Q Is he living? A Yes sir.
Q What is your mother's name? A Lucy A. Brown.
Q Is she living? A No sir; dead.
Q Through which of your parents do you claim Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A From what I have been taught, about one sixteenth.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir; not that I knew of.
Q When and where were your father and mother married? A In Little River County, Arkansas.
Q When? A I don't remember the date.
Q Have you any evidences or proof of their marriage, with you?
A No sir; not with me.
Q You think you can produce it later? A Yes sir.
Q You will be allowed reasonable time to do so? A Yes sir.
Q Is your father a white man? A Yes sir; he had no Indian blood.
Q Are you married? A Yes sir.
Q What is your wife's name? A My present wife is named Sallie.
Q You have been married twice? A Yes sir.

Q Have you any children by your first wife? A I have three by my first.

Q All under age? A Yes sir.

Q Have you any by your second wife? A No sir.

Q What was your first wife's name? A Annie Brown.

Q She is dead is she? A Yes sir.

Q Was she a white woman? A Well, she claimed about the same Cheo-
taw that I do.

Q Well, do you claim any Cheotaw blood for your children through
her? A No, just from myself.

Q Do you know anything about her blood? A No sir; all I know is what
she told me; she claimed to be the same as I am about.

Q One sixteenth Cheotaw blood? A Yes sir.

Q Then you claim Cheotaw blood for these children from both your-
self and your wife? A Well, I suppose that would be right.

Q When and where were you married to this first wife of yours?

A In Little River County, Arkansas.

Q What date? A 21st day of September, 1884.

Q When and where did she die? A She died there, in Little River
County.

Q When? A 12th day of January, 1898.

Q Were you married to her by a minister and by a license? A Yes sir.

Q Give the names of your minor children for whom you wish to make
application of whom she is the mother? A Mattie P. Brown.

Q How old? A Sixteen.

Q Next? A Albert S. Brown.

Q How old is Albert? A Fourteen.

Q Next? A Charles T. Brown.

Q How old? A Eleven.

Q Is that all? A Yes; that all.

Q You claim for yourself and these children, do you? A Yes sir.

Q Now, Annie Brown your first wife is the mother of these three
children? A Yes sir.

Q You are the father? A Yes sir.

Q These children are living with you at your home? A Yes sir.

Q Have you married again? A Yes sir.

Q Have you any children by this second marriage? A No sir.

Q What is the name of your second wife? A Sallie.

Q She is also a white woman is she? A Yes sir.

Q You claim Cheotaw blood for them through yourself and through
your wife also? A Yes sir.

Q Do you know how much you claim for them through your wife?

A Well, my wife claimed to be about a sixteenth.

Q And you claim to be a sixteenth? A Yes sir.

Q Do you claim a sixteenth for the children then? A Yes sir.

Q What is your first wife's mother's name? A Gresham.

Q What is her given name? A I don't remember her given name now.

Q What was your first wife's father's full name? A Albert Gresham.

Q Is your name or the names of these children on any of the tribal
rolls of the Cheotaw Nation in Indian Territory? A No sir.

Q Have you made application for citizenship in the Cheotaw Nation
for yourself and children to the Cheotaw tribal authorities in the
Indian Territory? A No sir.

Q Have you ever made application for citizenship in the Cheotaw
Nation for yourself and children to the Commission to the Five
Civilized Tribes under Act of Congress of June 10, 1896? A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Have you ever before this time made application for yourself and children for citizenship in the Choctaw Nation to the Choctaw tribal authorities or the United States authorities? A No sir.

Q Do you now come before the Commission for the purpose of identifying yourself and children as Mississippi Choctaws under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A I have heard it read and explained a number of times.

Q You think you understand it? A I guess I understand it about as well as I should-.

Q Wouldn't you like to have it read again and explained? A Well, you might.

The treaty of 1830 sometimes called the treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw Indians who lived in the old Choctaw Nation in Mississippi in 1830; it was made for the purpose of getting the Choctaw Indians who lived in the old Choctaw Nation to the new Choctaw Nation West of the Mississippi River, now the Indian Territory. Before it was signed, it became known that a great many Choctaw Indians would refuse to come to the Indian Territory; in order to protect their rights article fourteen was put into the treaty; article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey: in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove, are not to be entitled to any portion of the Choctaw annuity."

Q Think you understand that now? A Yes sir.

Q Did any of your ancestors comply or attempt to comply with any of the provisions of that article as read to you? A Well, I have understood that they have; I have been informed that they have; I don't know.

Q Well, who informed you that your ancestors complied with any of the provisions of the fourteenth article? A Well, I have understood it from the family.

Q Which members of the family? A Mother.

Q She told you that? A Yes; that's her understanding.

Q What was the name of your ancestors through whom you claim the right to be identified as a Mississippi Choctaw? A Tom J. Love.

- Q What relation is he to you? A He is my great-grandfather.
 Q How much Choctaw blood did he have? A About a half I believe he claimed; that's my understanding.
 Q You claim through your mother? A Yes sir.
 Q What was her maiden name? A Lucy Love.
 Q She claimed through which parent? A Her father.
 Q What was his name? A John Love.
 Q Did he live in Mississippi or Alabama? A Yes, I think so.
 Q In the old Choctaw Nation there? A Yes sir.
 Q And John Love claimed through which parent? A Father.
 Q His name was what? A Tom J. Love.
 Q How old would your mother be if living now? A Would be about sixty one or two.
 Q She was born where? A Now it seems to me that mother said she was born in Mississippi.
 Q What place in Mississippi, do you know? A No sir.
 Q Do you know when and she died where? A She died there in Little River County Arkansas.
 Q When? A 31st day of last January.
 Q John Love was born where? A ---
 Q That's your grandfather? A Yes sir; I don't know where he was born; in Mississippi I suppose.
 Q Where did he die? A In Texas somewhere.
 Q Do you know he did? A No sir.
 Q How old would he be if living now? A No sir; I don't know.
 Q How old would he be if living now? A No sir; I don't know.
 Q Do you know where your ancestor, Tom J. Love was born and died? A No sir.
 Q And where and when he died? A No sir.
 Q Did he have a Choctaw name? A I don't know.
 Q Did he speak the Choctaw language? A I don't know.
 Q Was Tom J. Love the head of a family in Mississippi in 1830? A I don't-suppose so- know.
 Q Did any of your Choctaw ancestors go to the United States Indian agent within six months after the ratification of the treaty of Dancing Rabbit Creek and tell him that they wanted to stay in Mississippi, take land there and become citizens of the States? A I don't know.
 Q Did any of your Choctaw ancestors go from the old Choctaw Nation to the new Choctaw Nation with the other Indians between 1833 to 1838? A I don't know.
 Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under article fourteen of the treaty of Dancing Rabbit Creek? A I don't know.
 Q Did any of your ancestors own or claim any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of 1830 was ratified February 24, 1831, by the provisions of article fourteen which was incorporated into the treaty before it was signed the Indians who stayed there were required to go to the United States Indian agent within six months after the ratification of the treaty and tell him that they wanted to stay in Mississippi, take land there and become citizens of the States. A great many Indians did that and Col. Ward, who should have made a complete list of the names of all applicants who came before him

under the provisions of that article of that treaty failed to make a complete list, so that a great many Indians, as a result of his negligence, lost their lands and improvements which they occupied in Mississippi. This caused so many complaints among the Indians that in 1837 by Act of Congress approved March 3, that year, a Commission was appointed by Congress which went to Mississippi and heard claimants under that article fourteen of that treaty. In 1842 another Commission was appointed by Congress by Act of August 23, 1842, and this Commission went to Mississippi and heard claimants under article fourteen and both made lists of names of those who appeared before them.

Q Did any of your ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under that article of that treaty, to your knowledge? A No sir; I don't know.

The Act of Congress approved August 23, 1842, provided that in case any Choctaw Indian proved his claim under article fourteen before the Commission of 1842, if it also appeared that he had his land taken from him by the Government, that he should be entitled to a reservation of land to be taken from vacant Government land in either Mississippi, Alabama, Louisiana or Arkansas; and that certificates to that effect should be issued to him: these certificates were called scrip.

Q Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know sir.

Q Have you any documentary or other evidence that you desire to present now in support of this application? A No sir; not with me.

On motion of counsel for this applicant, reasonable time will be allowed in which to present documentary or any other evidence in support of this application which he makes for himself and children.

Q Do you speak or understand the Choctaw language? A No sir.

Q Is there anything more you want to say in support of your claim? A No sir.

Q Have you had any relatives who have appeared before this Commission for identification as Mississippi Choctaws? A Yes sir.

Q James Wilson? A Second cousin.

Q Any others? A My uncle, John H. Love.

Q Any others? A Benjamin F. Love.

Q They all claim through the same ancestor, do they, through whom you claim? A Yes sir.

Q Want their testimony taken into consideration with yours when yours is examined? A Yes sir.

Q -- in order that you may get the benefit of what they have testified to? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; gray eyes, medium fair complexion, light brown mustache, brown hair. Has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hall as being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hall

Subscribed and sworn to before me this 26th day of November, 1901.

Charles Mitchell Wood
Notary Public.

COPY.

M.C.R. 2038

Mustang, Indian Territory, July 18, 1908.

Charles C. Brown,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 2048
John H. Love, et al.,	" 2053
Will Love, et al.,	" 2056
Fannie Love,	" 2058
May Love,	" 2064
Bettie McConnell,	" 2075
Bob Love,	" 2077
David A. Smith,	" 2040
Matie A. Patterson, et al.,	" 2010
Lulu T. Johnson, et al.,	" 2052
Pink Smith, et al.,	" 2050
Charles C. Brown, et al.,	" 2038
A. F. Brown, et al.,	" 2040
Juliett Pierce, et al.,	" 2043
Effie E. Perry, et al.,	" 2042
R. C. Brown,	" 2041
Fannie E. Coleman, et al.,	" 2063
Mabel Cobb, et al.,	" 2051
Miran Coleman,	" 2052
Benjamin F. Love, et al.,	" 2053
Thomas J. Wilson, et al.,	" 2044
James H. Wilson, et al.,	" 2050

These applications were made under the provisions of the act of Congress of June 22, 1890 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Cheetaw Indians claiming rights in the Cheetaw lands under article fourteen of the treaty between the United States and the Cheetaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John E. Love, Leander Love, Will Love, Henry Love, Ray Love, Fannie Love, May Love, Bettie McConnell, Bob Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verma Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert E. Brown, Charles T. Brown, A. F. Brown, Mattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy E. Pierce, James T. Pierce, Louis C. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, B. C. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Nabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Annie Wilson, Jesse Wilson, Ray Wilson, James H. Wilson, Ed Wilson, Gelatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of said article fourteen of the Treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

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action as may be taken by him

Yours truly,

(SIGNED)

Registered,

I. E. Needles

Commissioner in Charge.

OPY.

M.C.R. 3939

Muskogee, Indian Territory, October 11, 1902.

Charles C. Brown,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

T. B. Neale

Commissioner in Charge.

No. 3939

For Identification as a Mississippi Choctaw.

Date NOV 2 1901

Name Charles C. Brown.

Age 41 Blood $\frac{1}{16}$

Post Office, Richmond, Ark.

Father: Thomas A. Brown, l.

Mother: Lucy A. " d

Claims through mother
wife, (1)

Annie Brown (d) $\frac{1}{16}$
(claims $\frac{1}{16}$ choc. blood.)
wife (2) Sallie, " w.
(no claim for wife)

Children:

Mattie P. Brown, $\frac{1}{16}$ 16

Albert S. " $\frac{1}{16}$ 14

Charles T. " $\frac{1}{16}$ 11
children of 1st wife,

Claims for self and
children,

1st wife's

~~father~~ father, Albert H. Hains,
mother, " " Hains.

Stenographer H. Y. Hains.

Choctaw MCR 3940

A. P. Brown

See MCR 3948

MCR 3940

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1902.

3943

In the matter of the application of A. P. Brown for the identification of himself and his four minor children, Hattie, Myrtle, Ranie and Louise Brown, as Mississippi Choctaws.

Applicants represented by John London, attorney.

A. P. Brown being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A A. P. Brown.
Q What is your age? A Thirty nine.
Q What is your post office address? A Richmond, Little River County, Arkansas.
Q How long did you live there? A Thirty nine years. (39)
Q Were you born in that county? A Yes sir.
Q What is your father's name? A Thomas A. Brown.
Q Is he living? A Yes sir.
Q What is your mother's name? A Lucy A. Brown.
Q Is she living? A No sir, dead.
Q You claim your Choctaw blood through which parent? A From my mother.
Q How much Choctaw blood do you claim? A About a sixteenth I reckon.
Q When and where were your father and mother married? A In Little River County, Arkansas.
Q When? A Well, I don't know the date.
Q By a minister and under a license? A No sir. They was no license them days there.
Q Were they married by a certificate or whatever was issued at that time? A Yes sir.
Q You think you can get the proper evidence of their legal marriage to file? A Yes sir.
Q You will be allowed to do so. Has your mother ever been recognized or enrolled as a Choctaw Indian by either the Choctaw tribal authorities or the United States authorities in the Indian Terri-

tory? A No sir; I think not.

Q Are you married? A Yes sir.

Q What is your wife's name? A Ada A. Brown.

Q Is she a white woman? A Yes sir.

Q Do you make any claim for her? A No sir.

Q Have you children you desire to make application for? A Yes sir.

Q What is the name of the eldest? A Hattie Brown.

Q How old is Hattie? A Twelve years old.

Q Next? A Myrtle Brown.

Q M-y-r-t-l-e? A Yes sir.

Q How old is Myrtle? A Eight.

Q Next? A Ranie Brown.

Q Boy or girl? A Boy six years old.

Q Any others? A Louise Brown.

Q L-o-u-i-s-e? A Yes sir.

Q How old? A Four years old; that's all.

Q You claim for yourself and children? A Yes sir.

Q Is Ada A. Brown the mother of these children? A Yes sir.

Q And you are the father? A Yes sir.

Q They live with you at your home? A Yes sir.

Q Were you ever married before you married her? A No sir.

Q Was she ever married before she married you? A No sir.

Q When and where were you married to your wife, Ada A. Brown?

A Richmond, Arkansas.

Q When? A March 15, 1885.

Q By a minister and under a license? A By minister.

Q Under a license? A Yes sir.

Q Have you your marriage license and certificate with you to file in this case? A Yes sir.

Q You propose to make it a part of your record? A Yes sir.

Q Is your name and the names of these children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.

Q Have you ever made application for yourself or children to the Choctaw tribal authorities for citizenship in the Choctaw nation? A No sir.

Q Have you ever made application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.

Q Have you or these children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.

Q Have you ever before this time sought to become enrolled or tried to get these children enrolled as Choctaw citizens either by making application to the Choctaw tribal authorities or the United States authorities? A No sir.

Q You now come before the Commission to identify yourself and these children as Mississippi Choctaws claiming rights under article fourteen of the treaty of Dancing Rabbit Creek? A Yes sir.

Q You understand that treaty? A Yes sir; I think so.

Q You have heard it read and explained a number of times? A Yes sir.

Q Do you care to have it explained to you again? A I think I understand it.

Q Do you waive the explanation? A Yes sir.

Q Now as you have heard it read and explained a number of times to you, do you know if any of your Choctaw ancestors complied or attempted to comply with any of its provisions as read to you? A No sir.

Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Thomas J. Love.

Q What relation was he to you? A Great grandfather.
Q How much Choctaw blood did he have? A Claimed to have a half.
Q How do you know he had a half Choctaw blood? A That's what I have been told.
Q By whom have you been told that? A By my parents.
Q About how long have you known that you have Choctaw blood?
A Ever since I have known anything.
Q A matter of family history and tradition, is it? A Yes sir.
Q When and where was Thomas J. Love born? A I can't tell you.
Q When and where did he die? A I don't know sir.
Q Did he ever live in Mississippi? A Yes sir.
Q In 1830 and was he the head of a family at that time? A I think so I have been told.
Q You claim through which parent? A Mother.
Q How old would she be if living now? A Sixty two or three.
Q Where was she born? A I don't know whether she was born in Little River County, Arkansas, or Bowie County, Texas.
Q Was she born in Arkansas or Texas? A I don't know; I can't say.
Q She claimed through which parent? A Father.
Q What was his name? A John Love.
Q Where was he born? A I don't know.
Q Did he ever live in Mississippi? A I don't know.
Q How old would he be if living now? A I don't know.
Q He claimed through which parent? A His father.
Q Thomas J. Love? A Yes sir.
Q You are sure he lived in the old Choctaw nation in Mississippi or Alabama? A Yes; that's what I have been told.
Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation in Indian Territory with the other Indians between 1833 to 1838? A I don't know.
Q Did any of your Choctaw ancestors within six months after the ratification of the Treaty of Dancing Rabbit Creek tell the United States Indian agent, Col. Ward, that they intended to stay in Mississippi and take land there? A I don't know sir.
Q Did any of your ancestors own or claim any land in Mississippi as Choctaw Indians under article four teen of the treaty of 1830?
A I don't know.
Q Did any of your Choctaw ancestors claim or receive any benefits what ever under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know sir.

The Treaty of Dancing Rabbit Creek was ratified February 24, 1831; according to the provisions of article fourteen which was incorporated in to the treaty those Choctaw Indians who stayed back there in the old Choctaw Nation were required to go to the United States Indian agent within six months after the ratification of the treaty and tell him that they wanted to stay in Mississippi, take land there and become citizens of the States. A great many did this but their names were not put upon the Ward's Register; a great many names were left off of that register that should have been put upon it- only a few hundred names were put on that list. The negligence of failing to put the names of these people upon his list caused a great many of the Indians to lose land in Mississippi and Alabama on which they had improvements; they were sold by the

Government at Public Land Sale; this caused a great many complaints on the part of the Indians and in 1837 by Act of Congress approved March 3, that year, a Commission was appointed by Congress which Commission went to Mississippi and heard claimants under article fourteen of that treaty. In 1842 another Commission was appointed by Act of Congress of August 23, that year, for the same purpose and they went to Mississippi and heard claimants under article fourteen of that treaty.

Q Did any of your Choctaw ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of the Treaty of Dancing Rabbit Creek? A I don't know.

The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim under article fourteen of the treaty of 1830, if it further appeared that his land had been taken from him by the Government that he should be entitled to select land either in Mississippi Alabama, Louisiana, or Arkansas, to be taken from vacant Government land; and that a certificate to that effect should be issued to him; these certificates were called scrip.

Q Q Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know.

Q Have you any documentary or other evidence that you wish to present now in support of this application you make for yourself and children? A Well, I don't know.

Q Have you any now you want to present? A No sir.

Q Would you like time in which to present such testimony or evidence? A Yes sir.

Reasonable time will be allowed you in which to present any proper evidence in support of your claim.

Q Do you understand the Choctaw language or speak it? A No sir.

Q Is there anything more you would like to say in support of this claim? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage: brown eyes, light brown mustache, brown hair a little darker, and medium dark complexion: he does not understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

-o-o-o-o-o-o-o-o-o-

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November

2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date

Henry G. Hains

Subscribed and sworn to before me this 26th day of November, 1901.

Clara Mitchell Wood

Notary Public.

COPY.

M.C.R. 3940

Muskogee, Indian Territory, July 18, 1902.

A. P. Brown,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3948
John H. Love, et al.,	" 3953
Will Love, et al.,	" 4296
Nannie Love,	" 4293
May Love,	" 4294
Bettie McConnell,	" 4298
Zeb Love,	" 4297
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4319
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4295
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie M. Perry, et al.,	" 3942
B. U. Brown,	" 3941
Fannie K. Coleman, et al.,	" 4043
Habel Cobb, et al.,	" 4301
Hiram Coleman,	" 4302
Benjamin H. Love, et al.,	" 3946
Thomas J. Wilson, et al.,	" 3944
James H. Wilson, et al.,	" 3950

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McGonnell, Bob Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles G. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Mattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy M. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Nabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

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action as may be taken by him.

Yours truly,

(SIGNED)

Registered.

I. B. Neel
Commissioner in Charge.

COPY.

M.C.R. 3940

Muskogee, Indian Territory, October 11, 1902.

A. P. Brown,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

T. L. McCall

Commissioner in Charge.

No. 3940

For Identification as a Mississippi Choctaw.

Date

NOV. 2 1901

Name A. P. Brown

Age 39 Blood 1/16

Post Office, Richmond, Ark.

Father: Thomas A. Brown, l

Mother: Lucy A. " d.

Claims through mother
wife, Ada A. Brown, w.

No claim for wife.

Children:

Nattie Brown 12

Myrtle " 8

Ravie " (boy) 6

Louise " 4

Claims for self &
children -

Stenographer W. G. Harris

Choctaw MCR 3941

B. G. Brown

See MCR 3948

MCR 3941

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3941

In the matter of the application of B.G. Brown for the identification of himself as a Mississippi Choctaw.

John London, attorney for applicant.

B.G. Brown being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A B.G. Brown.
Q What is your age? A Twenty two.
Q What is your post office address? A Richmond, Little River County Arkansas.
Q How long have you lived there? A All my life.
Q Were you born there? A Yes sir.
Q What is your father's name? A Thomas A. Brown.
Q Is he living? A Yes sir.
Q What was your mother's name? A Lucy A. Brown.
Q She is dead? A Yes sir.
Q You claim through which parent? A Mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No sir.
Q When and where were your father and mother married? A They was married in Arkansas I think.
Q Do you know what time? A No sir.
Q Have you evidence of their marriage? A Yes sir.
Q You propose to file it in this case? A Yes sir.
Q Are you married? A No sir.
Q Claim for yourself alone? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation

by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Did you ever before this time seek to become a member of the Choctaw tribe of Indians by making application to either the Choctaw tribal authorities or the United States authorities? A No sir.

Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A I think I do.

Q You have heard it read and explained a number of times? A Yes sir.

Q Do you wish to have it explained again? A No sir.

Q You waive the explanation, for you have heard it often, do you? A Yes sir.

Q Now as you understand it after having heard it read and explained previously, do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article as read? A No sir; I don't.

Q What was the name of the ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Thomas J. Love.

Q What relation was he to you? A Great grandfather.

Q Did he have a Choctaw Indian name? A I think so.

Q Do you know? A I don't.

Q Did they call him Musletubbee,-- A I don't know.

Q Did he ever speak the Choctaw language? A I don't know.

Q Was he born in Mississippi or Alabama? A I don't know sir.

Q Where did he die? A I don't know.

Q Did he live in Mississippi or Alabama? A Yes, I think so.

Q In Mississippi? A Yes sir.

Q Where in Mississippi? A I don't know what place.

Q Did he live there in 1830? A Yes sir.

Q Was he head of a family there at that time? A I think so.

Q You claim through your mother? A Yes sir.

Q What was her maiden name? A Lucy A. Love.

Q Did she ever live in Mississippi or Alabama? A I think she was born in Mississippi.

Q Do you know? A No sir; I don't for certain.

Q How old would she be if living now? A Sixty one I believe.

Q What was her father's name? A John Love.

Q Did she claim through her father? A Yes sir.

Q Did he live in Mississippi or Alabama? A I don't know.

Q Never heard? A No sir.

Q Did he have an Indian name? A I don't know.

Q Did he speak the Choctaw language? A I don't know.

Q Did he claim through father or mother? A I-- father.

Q What was his name? A Tom J. Love.

Q Do you know anything about his parents? A No sir.

Q Did any of your Choctaw ancestors go from the old Choctaw Nation in Mississippi or Alabama to the Indian Territory with the other Indians between 1833 to 1838? A I don't know sir.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent that they intended to stay in Mississippi, take land there and become citizens of the States? A I don't know.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know sir.

Q Did any of your Choctaw ancestors own or claim any land under article fourteen of the treaty of 1830? A I don't know.

Q Did they ever claim or receive any benefits whatever or land under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of Dancing Rabbit Creek was ratified on the 24th day of February, 1831, and according to the provisions of article fourteen which was a part of that treaty the Indians who stayed back there in Mississippi were required to go to the Indian agent within six months from the ratification of the treaty of 1830 and tell him that they intended to stay in Mississippi, take land there and become citizens of the United States. A great many Indians did this and it was required by the Government that Col. Ward the Indian agent should put their names down on his list known as Ward's Register: he made a list but it contains the names of only a few of the Indians who did actually go before him and make their claim under the fourteenth article. The failure of Col. Ward, to make a perfect list of all Indians who came before him within the time limited, caused many Indians in Mississippi to lose that land for it was sold by the Government together with all improvements upon it. This caused so many complaints that in March 3, 1837 Congress appointed a Commission which went to the State of Mississippi, and heard claimants under the fourteenth article. In 1842 Congress appointed another Commission for the same purpose and this Commission went to Mississippi and heard claimants under the fourteenth article of that treaty.

Q Did any of your Choctaw ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under the fourteenth article of the treaty of 1830? A I don't know.

Q You never heard? A No sir.

The Act of Congress approved August 23, 1842, provided that if a Choctaw appeared before the Commission of 1842 and proved his claim under article fourteen if it also appeared that he had had his land taken from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land; and that certificates to that effect should be given to him: these certificates were called scrip, at that time.

Q Did any of your ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know.

Q Have you any documentary or any other kind of evidence you want to present now in support of this claim? A I don't know.

Q You haven't any? A No sir.

Reasonable time will be allowed this applicant, on motion of counsel, for applicant, in which to introduce documentary or other proper evidence in support of this application which he makes for identification as a Mississippi Choctaw.

Q Do you speak or understand the Choctaw language? A No sir.

Q Is there anything more you want to say in support of this claim?

A No sir.

Applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, ruddy complexion, brown hair; does not understand the Chectaw language and has no knowledge of the compliance of the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

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Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 8, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 26th, day of November, 1901.

Clara Mitchell Wood

Notary Public.

COPY

M.C.R. 3941

Wichita, Indian Territory, July 18, 1908.

B. G. Brown,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3945
John H. Love, et al.,	" 3943
Will Love, et al.,	" 4296
Fannie Love, et al.,	" 4293
May Love,	" 4294
Bettie McConnell,	" 4295
Zeb Love,	" 4297
David A. Smith,	" 3948
Katie A. Patterson, et al.,	" 4318
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Storer, et al.,	" 3943
Effie M. Perry, et al.,	" 3942
B. G. Brown,	" 3941
Fannie M. Coleman, et al.,	" 4063
Mabel Dobb, et al.,	" 4301
Helen Coleman,	" 4302
William F. Love, et al.,	" 3932
Thomas J. Wilson, et al.,	" 3944
James M. Wilson, et al.,	" 3938

B O B -----2

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John M. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Hattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliette Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy M. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie M. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Roy Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James M. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson, and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

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action as may be taken by him.

Yours truly,

(SIGNED)

Registered.

I. B. Needles.

Commissioner in Charge.

COPY.

M.C.R. 3941.

Muskogee, Indian Territory, October 11, 1902.

B. G. Brown,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

(Signed)

I. D. Hedrick.

Commissioner in Charge.

No. 39

For Identification as a Mississippi Choctaw.

Date

Name B. G. Brown

Age 22 Blood 1/6

Post Office, Richmond, Ark.

Father: Thomas A. Brown, d

Mother: Lucy A. " d

Claims through mother -

CLAIMS:

Claims for self alone,

Stenographer H. G. Haines

Choctaw MCR 3942

Effie E. Perry

See MCR 3948

MCR 3942

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3942

In the matter of the application of Effie E. Perry for the identification of herself and her two minor children, Bob and Birdie Perry, as Mississippi Choctaws.

Applicant represented by John London, attorney.

Effie E. Perry being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Effie E. Perry- (applicant spells it.)
Q What is your age? A Thirty one.
Q What is your post office address? A Winthrop, Arkansas.
Q How long have you lived there? A Seven years.
Q Where were you born? A Born in Little River County, fifteen miles from Winthrop.
Q You have always lived in that County? A Yes sir.
Q What is your father's name? A Thomas A. Brown.
Q He is living? A Yes sir.
Q What is your mother's name? A Lucy A. Brown.
Q Is she dead? A Yes sir.
Q You claim your Choctaw blood from your mother? A Yes sir.
Q How much do you claim? A One sixteenth.
Q Was your mother ever recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian territory? A No sir, I think not.
Q When and where were your father and mother married? A Red River County.
Q Remember the date? A No sir.
Q By a minister under a license? A Yes sir.
Q Have you their marriage license and certificate with you or proof of their marriage? A No sir.
Q Do you think you can furnish proof of their marriage? A Yes sir.

You will be allowed reasonable time to do so.

- Q Are you married? A Yes sir.
Q What is your husband's name? A A.L. Perry; (Allie)
Q He is a white man? A Yes sir.
Q Do you make any claim for him? A No sir.
Q Have you any children that you want to make application for?
A Yes sir; two.

- Q What is the name of the oldest? A Bob Perry.
Q How old is Bobbie? A Seven years old.
Q What is the name of the next? A Birdie.
Q Girl, I guess? A Yes sir.
Q Bob is a boy? A Yes sir.
Q How old is Birdie? A Three years.
Q Any others? A No sir.
Q You claim for yourself and these two children? A Yes sir.
Q When and where were you married to your husband? A Richmond, Little River County, Arkansas.
Q What date? A December 29, 1886.
Q Married by a minister and under a license? A Yes sir.
Q Were you ever married before? A No sir.
Q Was your husband ever married before he married you? A No sir.
Q This is the first matrimonial venture for both of you? A Yes sir.
Q Is your name or the name of this eldest child on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation for yourself and your oldest child to the Choctaw tribal authorities? A No sir.
Q Did you ever make application to the Commission to the Five Civilized Tribes for yourself and this oldest child for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted with your children to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Is this the first application of any kind that you have ever made for yourself and children to either the Choctaw tribal authorities or the United States authorities in Indian Territory? A Yes sir.
Q Do you now come before the Commission for the purpose of identifying yourself and these children as Mississippi Choctaws claiming under article fourteen of the treaty of 1830? A Yes sir.
Q Do you think you understand article fourteen of that treaty? A Well, Yes, I have heard it often.
Q You have heard it read and explained have you? A Yes sir.
Q More than once? A Yes sir.
Q You want to have it explained again? A I think I understand it.
Q You waive the explanation, then, do you? A Yes sir.
Q Now, as that has been read and explained, and as you understand it, do you know if any of your ancestors, if Choctaws, complied or attempted to comply with the provisions of that article of that treaty? A I don't know.
Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Tom J. Love.
Q What relation to you? A My great grandfather.
Q When and where was he born? A I don't know.
Q How much Choctaw blood did he have? A One half I think.
Q Did he live in Mississippi in 1830? A I don't know.
Q Did he ever live in Mississippi or Alabama? A He lived in Mississippi I think.
Q Was he the head of a family there, do you know? A Yes sir.
Q You don't know the year? A No sir.
Q You claim your Choctaw blood through which parent? A My mother.
Q Her maiden name was? A Lucy A Love.

Q How old would she be if living now? A Sixty two I think.
 Q Was she born in Mississippi? A Yes sir.
 Q Sixty two years ago? A Yes sir.
 Q What was her father's name? A John Love.
 Q Did he live in Mississippi? A Yes sir.
 Q Do you know when he was born? A No sir.
 Q or where? A No sir.
 Q Do you know when or where he died? A I think he died in Texas.
 Q He went from Mississippi to Texas? A No, to Arkansas and then to Texas and died.
 Q Do you know whether your grandfather, John Love, had a family in Mississippi in 1830? A Yes, I think so.
 Q Your mother was born there sixty two years ago and your father, that is, her father was living there? A Yes sir.
 Q Now, do you think he was living there seventy years ago and had children there at that time? A I don't know. I have no positive knowledge.
 Q You don't know how old John Love would be if living now? A No sir.
 Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
 Q Did any of your Choctaw ancestors go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I don't know.
 Q Did any of them go from the old Choctaw Nation in Mississippi or Alabama to the new Choctaw Nation in the Indian Territory with the other Indians between 1833 to 1836? And 1840? A I don't know.
 Q Did any of them own land or claim any or any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A Not that I know of.

The Treaty of Dancing Rabbit Creek was ratified on the 24th day of February, 1831, and according to the provisions of article fourteen of the treaty of 1830 the Indians who stayed in Mississippi and Alabama were required to go to the United States Indian agent within six months from the ratification of that treaty and tell him that they wanted to stay in Mississippi, the land there and become citizens of the States. A great many did this. The United States Indian agent was required by the Government to make a list of the Choctaw Indians who did so. So Gelward made a list called Ward's Register but contains only a few of the total number of Indians who appeared before him in accordance with the provisions of article fourteen of the treaty of 1830; and his failure to make a full and complete list of all claimants who appeared before him and complied with article fourteen caused many Indians who lived in Mississippi and Alabama to lose the land upon which they were living, for it was taken from them and sold by the Government at its Public Land Sale. This caused many complaints among the Indians, so that, in 1837, by Act of Congress approved March 3, that year, Congress appointed a Commission and this Commission went to the State of Mississippi and heard all claimants who came before it desiring to prove their rights under article fourteen of the treaty of 1830.

In 1842 another Commission was appointed by Congress for the same purpose; this Commission also went to Mississippi and heard claimants who claimed under article fourteen, and made lists of their names.

Q Did any of your ancestors to your knowledge go before either of these Commissions and claim benefits under article fourteen? A Not that I knew of.

The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim under article fourteen of the treaty of 1830 and if at the same time it was also shown that he had had his land taken from him by the Government he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that a certificate to that effect should be given to him; these certificates were called scrip.

Q Did any of your ancestors receive any such scrip from the Government as Choctaw Indians? A Not that I knew of.

Q Have you any documentary or other proper evidence that you want to present now in support of this claim? Have you any papers you want to give me? A No sir; I have no papers at all.

Q You want time, do you? A Yes sir.

This applicant will be allowed reasonable time in which to file or present any documentary or other proper evidence in support of this application for herself and her children.

Q What relatives of yours have already appeared for identification as Mississippi Choctaws claiming through Thomas J. Love? A ---

Q James A. Wilson? A Cousin of mine.

Q Charles C. Brown? A Brother.

Q A. P. Brown? A Brother.

Q B.G. Brown? A Brother.

Q Benjamin F. Brown; he appeared here yesterday, November 1st? A Unsee; yes sir.

Q Any others of your--? A Yes; John H. Love; a cousin.

Q Any other relatives at any time? A That's all.

Q These all claim through Tom J. Love, do they? A Yes sir.

Q Want to have their testimony considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.

Q Do you understand or speak the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; gray eyes, medium fair complexion; brown hair; does not understand or speak the Choctaw language and knows of no compliance on the part of her ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

-O-O-O-O-O-O-O-O-O-

Henry G. Hains being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains.

Subscribed and sworn to before me this 27th day of November, 1901.

Chas McFarrell Wood
Notary Public.

COPY

M.C.R. 3948

Muskogee, Indian Territory, July 18, 1908.

Miss H. Perry,

Vinita, Arkansas.

Dear Madam:

You are hereby advised that on the 18th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3948
John M. Love, et al.,	" 3932
Will Love, et al.,	" 4898
Fannie Love,	" 4893
May Love,	" 4894
Belle McDowell,	" 4895
Tom Love,	" 4897
David A. Smith,	" 3946
Katie A. Patterson, et al.,	" 4819
Dora E. Johnson, et al.,	" 4892
Pink Smith, et al.,	" 4202
Charles C. Brown, et al.,	" 5939
A. S. Brown, et al.,	" 5940
Julius P. Piora, et al.,	" 3941
Miss H. Perry, et al.,	" 3942
E. C. Brown,	" 3941
Fannie E. Coleman, et al.,	" 4062
Abel Cobb, et al.,	" 4302
Hiram Coleman,	" 4302
Benjamin W. Love, et al.,	" 5032
Thomas J. Wilson, et al.,	" 5944
James E. Wilson, et al.,	" 5944

R R P -----2

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James B. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Hattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy E. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, H. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

U.S. Patent

action is hereby taken by him,

these words,

SIGNED

Registered,

T. B. Needles

Commissioner in Charge.

COPY

H.C.R. 2942

Muskogee, Indian Territory, October 11, 1902.

Effie E. Perry,

Winthrop, Arkansas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

(SIGNED)

H. D. G. Gentry.

Commissioner in Charge.

No. 3942

For Identification as a Mississippi Choctaw.

Date NOV 2 1901

Name Effie E. Perry

Age 31 Blood 1/16

Post Office, Winthrop, Ark.

Father: Thomas A. Brown, d.

Mother: Lucy A. " d

Claims through mother
husband

A. E. Perry - w.

No claim for husband.

Children:

Bob Perry - 7

Birdie " (girl) 3

Claims for self &
children

Choctaw MCR 3943

Juliett Pierce

See MCR 3948

MCR 3943

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
WASHOCH, I.T. NOVEMBER 2, 1901.

3943

In the matter of the application of Juliett Pierce for the identification of herself and her six minor children, Robert A. Sarah E., Lucy E., James T., Louis G. and Joseph A. Pierce, as Mississippi Choctaw.

Applicant represented by John Donahy, attorney.

Juliett Pierce being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Juliett Pierce.
Q What is your age? A Thirty six.
Q What is your post office address? A Foreman, Little River County, Arkansas.
Q How long have you lived in Little River County? A I was born and raised there.
Q Lived there all your life? A Yes sir.
Q What is your father's name? A Thomas A. Brown.
Q Living? A Yes sir.
Q What is your mother's name? A Lucy A. Brown.
Q She is dead now, is that A Yes sir.
Q You claim through your mother? A Yes sir.
Q How much Choctaw blood do you claim through your mother? A One sixteenth.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities? A No sir.
Q When and where were your father and mother married? A In Little River County, Arkansas.
Q When? A I don't know how long its been since.
Q Have you the proper proof of their marriage with you? A No sir.
Q Do you think you can furnish such proof? A Yes sir.

You will be allowed reasonable time in which to do so.

- Q Are you married? A Yes sir.
Q What is your husband's name? A James T. Pierce.
Q Now, he must be Indian is he? A No sir, he is a white man.
Q Do you make claim for him? A No sir.
Q Have you any children you want to make application for? A Yes sir six.
Q All under age and unmarried? A Yes sir.

Q What is the name of the oldest? A Robert A. Pierce.
 Q How old is he? A Thirteen.
 Q What is the name of the next? A Sarah E. Pierce.
 Q How old? A Eleven.
 Q Next? A Lucy Ma Pierce.
 Q How old? A Nine.
 Q Next? A James T. Pierce.
 Q How old is he? A Seven.
 Q Next? A Louis G. Pierce.
 Q L-o-u-i-s? A Yes sir.
 Q How old? A Four.
 Q Next? A Joseph A. Pierce.
 Q How old? A One.
 Q Is James T. Pierce the father of these children? A Yes sir.
 Q And you are the mother? A Yes sir.
 Q Were you ever married before you married him? A No sir.
 Q Was he ever married before he married you? A No sir.
 Q You claim for yourself and these children? A Yes sir.
 Q When and where were you married to your husband? A In Little River County, Arkansas; in 1864, 21st day of September.
 Q Were you married by a minister under a license? A Yes sir.
 Q Is your name or the name of any of these children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
 Q Have you ever made application for citizenship in the Choctaw Nation for yourself and children to the Choctaw tribal authorities? A No sir.
 Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.
 Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
 Q Have you ever before this time tried to become enrolled as a Choctaw Indian or sought to obtain the enrollment of your children by making application to either the Choctaw tribal authorities or the United States authorities? A No sir.
 Q Do you now come before this Commission for the purpose of being identified as Mississippi Choctaws claiming rights or interests in land in Choctaw Nation, Indian Territory, under article fourteen of the treaty of 1830? A Yes sir.
 Q Do you understand that article of that treaty? A I think I do.
 Q Have you heard it read and explained a number of times? A Yes sir.
 Q Do you waive the explanation of it now? A I think I understand it sufficiently

Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in

that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but, if they ever remove, are not to be entitled to any portion of the Choctaw annuity."

Q Now as that has been read to you, and explained a number of times as you say, do you know if any of your ancestors ever complied or attempted to comply with the provisions of that article of that treaty? A No sir; I don't know.

Q What is the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Thomas J. Love.

Q What relation to you? Was he? A Great grandfather.

Q How much Choctaw blood did he have? A A half I think.

Q Where was he born? A I don't know.

Q Do you know where he lived during his life time? A No sir, I

Q How do you know he was a half Choctaw? A I think that.

Q How do you know that? Where did you hear that? A I have heard it from my parents.

Q Did he have an Indian name? A I don't know.

Q Did he speak Choctaw? A I don't know.

Q You claim through which parent? A Mother.

Q How old would she be if living now? A Sixty two or three years old.

Q Did she ever live in Mississippi? A Yes sir.

Q What was her father's name? A John Love.

Q Was he the head of a family there in 1830, or was Thomas J. the head of a family there in 1830? A I don't know.

Q How old would John Love be if living now? A I can't say.

Q Do you know when or where he was born? A No sir.

Q Or when or where he died? A He died in Texas.

Q What date? A I don't know.

Q Have any of your Choctaw ancestors ever owned any improvements on land in Mississippi or Alabama in 1830? A I don't know.

Q Did any of your Choctaw ancestors go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I don't know.

Q Did any of your Choctaw ancestors go from the old Choctaw Nation to the new Choctaw Nation Indian Territory with the other Indians between 1833 to 1838? A I don't know.

Q Did any of your Choctaw ancestors own or claim any land under article fourteen of the treaty of 1830 in Mississippi or Alabama? A I don't know.

Q Did they own or claim any land or benefits whatever or privileges under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of 1830 was ratified on the 24th day of February 1831, and article fourteen which was a part of it at that time provided that all Choctaw Indians who stayed in Mississippi or Alabama should go to the United States Indian agent within six months after the ratification of the treaty and tell him that they wanted to stay in Mississippi, take land there and become citizens of the States. A great many of them did this whose names were not placed upon Ward's Register- less than one hundred heads of families were placed upon that list and a great majority were left off from his list; this caused the Indians in Mississippi to lose their land because the land and improvements were taken by the Government and sold. A great many complaints arose so that in 1837 Congress ap-

pointed a Commission which went to Mississippi and heard all applicants who desired to come before it and claim under article fourteen.

In 1842 Congress appointed another Commission and this Commission went to Mississippi and heard claimants under article fourteen who desired to come before it.

Q. Do you know if any of your Choctaw ancestors went before either the Commission of 1837 or that of 1842 and claimed benefits under article fourteen of that treaty? A I don't.

The Act of Congress approved August 23, 1842, provided that if any Choctaw Indian proved his claim before that Commission of 1842 and if at the same time it also appeared to the Commission that his land had previously been taken from him by the Government that he should be entitled to a reservation to be selected from the land vacant Government lands in Mississippi, Alabama, Louisiana, or Arkansas, and that a certificate to that effect should be issued to him; these certificates were called scrip.

Q. Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know.

Q. Have you any documentary evidence or any proper evidence you wish to present now to the Commission in support of your application? A No sir.

Q. Would you like time in which to present them? A Yes sir.

Reasonable time will be allowed this applicant in which to present any proper proof in support of this application she makes for herself and her children.

Q. You speak Choctaw, I suppose? A No sir.

Q. Can count? A No sir.

Q. Is there anything more you want to say in support of this application? A No sir.

Q. Are James A. Wilson, Charles C. Brown, B.G. Brown, A.P. Brown Benjamin F. Brown, Effie E. Perry relatives of yours? A Yes sir.

Q. They all claim through Thomas J. Love? A Yes sir.

Q. Do you want to have their cases considered with yours in order that you may get the benefit of their testimony? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; medium fair complexion, gray eyes, brown hair. She does not understand the Choctaw language and has no knowledge of the compliance on the part of her ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported

in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry L. Harris

Subscribed and sworn to before me this 27th day of November, 1901.

Clara Mitchell Wood
Notary Public.

MASS. U.S.A.

COPY.

M.C.R. 3943

Muskogee, Indian Territory, July 18, 1902.

Juliett Pierce,

Foreman, Arkansas.

Dear Madam:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3943
John H. Love, et al.,	" 3933
Will Love, et al.,	" 4293
Fannie Love,	" 4293
May Love,	" 4294
Bettie McGinnell,	" 4293
Zek Love,	" 4297
David A. Smith,	" 3945
Matie A. Patterson, et al.,	" 4519
Luin T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie E. Perry, et al.,	" 3942
H. C. Brown,	" 3941
Fannie E. Coleman, et al.,	" 4063
Nabel Cobb, et al.,	" 4301
Hiram Coleman,	" 4302
Benjamin F. Love, et al.,	" 3932
Thomas J. Wilson, et al.,	" 3944
James H. Wilson, et al.,	" 3935

J P -2222222

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"IT is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Hattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Hattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy E. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Ray Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

action as may be taken by him.

Yours truly,

THOMAS

Registered.

T. B. Needles.

Commissioner in Charge.

COPY. M.C.R. 3943

Muskogee, Indian Territory, October 11, 1902.

Juliett Pierce,
Foreman, Arkansas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

T. D. Needles.
Commissioner in Charge.

No. 3943

For Identification as a Mississippi Choctaw.

Date NOV 9 1901

Name Juliett Pierce,

Age 36 Blood 1/16

Post Office, Foreman, Ark.

Father: Thomas A. Brown. l

Mother: Lucy A. " d.

Claims through mother
husband.

~~James~~ James T. Pierce, w.
No claim for husband.

Children:

Robert A. Pierce, 13

Sarah E. " 11

Lucy M. " 9

~~Thomas T.~~ James T. " 7

Louis G. " 4

Joseph A. " 1

Claims for self &
children

Stenographer H. G. Hains

Choctaw MCR 3944

Thomas J. Wilson

See MCR 3948

MCR 3944

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3944

In the matter of the application of Thomas J. Wilson for the identification of himself and his three minor children, Manie, Jesse and Roy Wilson, as Mississippi Choctaws.

Applicant represented by John London, attorney.

Thomas J. Wilson being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Thomas J. Wilson.
Q What is your age? A Forty three years old.
Q What is your post office address? A Richmond, Little River County, Arkansas
Q How long have you lived in Richmond? A Been living there now pretty well always.
Q Were you born in that County? A Yes sir.
Q What is your father's name? A Colatus Wilson.
Q Is he living? A No sir; dead.
Q What is your mother's name? A Julia Wilson.
Q Is that the full name? A Yes sir.
Q She is living? A No sir.
Q Through which parent do you claim your Choctaw blood? A My grandfather.
Q Through which parent, father or mother? A Through my mother.
Q How much Choctaw blood do you claim through your mother? A One eighth.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A Not that I know of.
Q When and where were your father and mother married? A I don't know; I think in Little River County.
Q When? do you know? A I haven't got no record of their marriage
Q Have you the proof of that marriage that you can present in support of this application? A Yes, I can.
Q Do you intend to make it a part of the records? A Yes, if necessary.
Q That's for you to say. A Well, yes.

Reasonable time is given you to do so.

Q Are you married? A Yes sir.
Q What is your wife's name? A Jane Wilson.
Q Is she a white woman? A Yes sir.
Q Do you make any claim for her? A No sir.
Q Have you any children under twenty one years of age and unmarried for whom you wish to make application? A Yes sir.
Q What is the name of the eldest one? A Mamie Wilson, seventeen.
And Jesse Wilson-
Q Is that a boy or girl. A Boy.
Q How old is Jesse? A He is fifteen years old.
Q What's the name of the next? A Roy.
Q How old is he? A Eleven.
Q Next? A That's all; three.
Q Is Jane Wilson the mother of these three children? A Yes sir.
Q You are the father? A Yes sir.
Q Was she ever married before she married you? A No sir.
Q Were you ever married before you married her? A No sir.
Q You claim for yourself and children do you? A Yes sir.
Q When and where were you married to your wife? A In Little River, Arkansas.
Q When? A In 1883, October 30th.
Q By a minister and under a license? A Yes sir.
Q Have you the marriage license and certificate? A Yes sir.
Q Do you propose to file it and make it part of this application? A Yes sir.
Q Did you ever make application for citizenship to the Choctaw tribal authorities for yourself and children? A No sir.
Q Is your name on any of the Choctaw tribal rolls, with your children's, of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation for yourself and children to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation with your children either by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or United States Court in Indian Territory? A No sir.
Q Have you ever before this time sought to get yourself or your children admitted to citizenship in the Choctaw Nation by making application either to the Choctaw tribal authorities or the United States authorities,? A No sir.
Q Do you now come before the Commission for the purpose of being identified and for the identification of your children as Mississippi Choctaws claiming benefits under article fourteen of the treaty of 1830? A No sir.-- I didn't understand you; this ear is stopped up and I can't hear you.
Q Do you claim the right now, to be identified as Mississippi Choctaw for yourself and children under article fourteen of the treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A No sir.
Q Do you want to have it read and explained? A Yes sir.
Q Have you heard it read and explained before? A Yes; once or twice.

The treaty of 1830 was made between the Choctaw Indians who lived in the old Choctaw Nation in Mississippi or Alabama up to 1830 and the United States Government. The object of that treaty

was to get all the Choctaw Indians who lived in the old Choctaw Nation to leave that Nation and to the Choctaw Nation, Indian Territory. Before the treaty was signed it became apparent that a great many Choctaw Indians would refuse to go to the Choctaw Nation Indian Territory and in order to protect their interests article fourteen was put into the treaty: article fourteen reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be entitled to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to a ny portion of the Choctaw annuity."

Q Do you understand that article of that treaty? A Yes; I believe I do.

Q Did any of your Choctaw ancestors comply or attempt to comply with the provisions of that article? A No sir; I don't think they did.

Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Thomas J. Love.

Q What kin to you? A Grandfather.

Q Your mother 's father? A Yes sir.

Q Did he or your mother, either of them ever live in Mississippi? A I don't know. I have been taught that they lived there from childhood.

Q Did thomas J. Love live there? A Yes sir.

Q How much Choctaw blood did he have? A A half.

Q How do you know he had a half Choctaw blood? A I was just taught that.

Q In the family? A Yes sir.

Q Where was he born? A I can't tell you.

Q Do you know when? A A I don't know.

Q Or where or when he died? A I don't know.

Q Did he have a Choctaw Indian name? A I don't know.

Q Did he speak the Choctaw language? A Not that I know of.

Q Was your mother born in Mississippi? A I don't know sir; I haven't got the record.

Q Didn't you ever hear whether she was born in Mississippi or not? A No sir.

Q Did she or her father Thomas J. Love, live in Mississippi in 1830 and was Thomas J. Love the head of a family there at that time? A Not as I knew of.

Q You never heard? A I have heard it talked around.

Q Well, have you ever heard that? A Through the family.

Q Well, I asked you if you ever heard that Thomas J. Love was the head of a family in Mississippi in 1830? A No, sir, I believe not.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A Not as I know of.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek tell the United States Indian agent that they wanted to stay in Mississippi and take land there? A Not as I know of.

Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory, from 1833 to 1838? a n o s i r.

Q Did any of your Choctaw ancestors own or claim any land in Mississippi under article fourteen of the treaty of 1830? A Not as I know.

Q Did any of them own or claim any land or improvements or any benefits whatever under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A Not as I know of.

Before the treaty was signed article fourteen was inserted to protect the interests of those Indians who stayed back in Mississippi and Alabama when the other Indians went to this new Nation, Indian Territory; that article provided that these Indians who remained back there in the old Choctaw Nation and told him within six months after the ratification of the treaty of 1830 that they wanted to stay in Mississippi, take land there and become citizens of the States-- a good many Indians did this but Col. Ward failed to get their names down on his register, known as Ward's Register; and his failure to record the names of so many Choctaws caused distress and suffering among them; for many who occupied land in Mississippi upon which they had improvements, had both taken from them by the Government and sold. So many complaints were made by the Indians that in 1838 a Commission was appointed by Act approved March 3, 1837, and this Commission went to Mississippi and heard all claimants under article fourteen that desired to come before it. In 1842 another Commission was appointed for the same purpose by Congress and this Commission heard all claimants who desired to come before it claiming rights under article fourteen.

Q Did any of your ancestors ever appear before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of the treaty of 1830? A Not as I know of.

Q Have you any documentary evidence or any evidence of any kind or testimony you want to produce now in support of this claim? A Well, I guess so.

Q Well, give it to me? A No sir; I haven't got it with me.

Q Do you want time in which to present it? A Yes sir.

Reasonable time will be allowed this applicant in which to present any proper evidence in support of his claim for himself and children.

Q Do you speak or understand the Choctaw language? A No sir, I don't.

Q Anything more you want to say in support of your claim? A No sir.

-5-

This applicant has the appearance and physical characteristics of being descended from white parents; has blue eyes medium fair complexion, light brown hair, smooth face; doesn't understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

-o-

Henry G. Hains being duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date,

Henry G. Hains

Subscribed and sworn to before me this 29th day of November, 1901.

Chas Mitchell Wood
Notary Public.

COPY.

M.C.R. 3944

Muskogee, Indian Territory, July 18, 1902.

Thomas J. Wilson,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3948
John E. Love, et al.,	" 3933
Will Love, et al.,	" 4296
Fannie Love,	" 4293
May Love,	" 4294
Pattie McConnell,	" 4295
Zet Love,	" 4297
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4519
Julia M. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie B. Perry, et al.,	" 3942
B. G. Brown,	" 3941
Fannie M. Coleman, et al.	" 4063
Habel Cobb, et al.,	" 4301
Hiram Coleman,	" 4302
Benjamin F. Love, et al.,	" 3932
Thomas J. Wilson, et al.,	" 3944
James N. Wilson, et al.,	" 3938

T J W -----2

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seven, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lowander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert P. Brown, Charles T. Brown, A. P. Brown, Mattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliette Pierce, Robert P. Pierce, Sarah P. Pierce, Lucy A. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie M. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie V. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

T. J. W. ———

action as may be taken by him.

Yours truly,

SIGNED

Registered.

T. J. W. ———

Commissioner in Charge.

COPY.

H.C.R. 3944

Muskogee, Indian Territory, October 11, 1902.

Thomas J. Wilson,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

T. E. McLaughlin

Commissioner in Charge.

No. 3944

For Identification as a Mississippi Choctaw.

Date

NOV 2 1901

Name Thomas J. Wilson.

Age 43, Blood $\frac{1}{8}$

Post Office, Richmond, Ark.

Father: Colatus Wilson, d

Mother: Julia " d

Claims through mother
wife,

Jane Wilson, w.

No claim for wife.

Children: Mamie Wilson 17

Jesse Wilson, 15-

Roy Wilson, "

Claims for self
and children.

Stenographer, H. S. Haines.

Choctaw MCR 3945

David A. Smith

See MCR 3948

MCR 3945

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MURKOGNE, I.T. NOVEMBER 2, 1901.

3945

In the matter of the application of David A. Smith for the identification as a Mississippi Choctaw.

John Lendon attorney for applicant.

David A. Smith being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A David A. Smith.
Q What is your age? A Twenty two.
Q What is your post office address? A Wilton, Little River County, Arkansas.
Q Where were you born? A Little River County.
Q Have you lived there always? A No sir; I was three years in Texarkana.
Q Where do you live now? A Little River County.
Q Have you always lived in Arkansas? A Yes sir.
Q What is your father's name? A David B. Smith
Q Is he living? A Yes sir.
Q What is your mother's name? A Sarah Smith.
Q Is she living? A No sir; dead.
Q Through which parent do you claim Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A I don't know; yes, I believe a thirty second; of course I--
Q How much ---A I knew how much Thomas J. Love had; I don't know only what has been taught me.
Q Well, if you don't know, I will put it down as that. A I don't know.
Q Has your mother ever been recognized in any way or enrolled in any way as a member of the Choctaw tribe of Indians in the Indian Territory by either the Choctaw tribal authorities or the United States authorities? A No sir.
Q When and where were your father and mother married? A Little River County, Arkansas.
Q What date? A I don't know sir.
Q Can you produce evidence of the marriage of your father and mother? A Yes sir.
Q You propose to do so in this case, if given time? A Yes sir.
Reasonable time will be allowed for that purpose.

Q Are you married? A No sir.
Q Claim for yourself alone? A Yes sir.
Q Is your name on the tribal rolls of the Choctaw nation in the Indian Territory? A I don't know sir.
Q Did you ever make application to the Choctaw tribal authorities in the Indian Territory for citizenship? A No sir.
Q Did you ever make application to the Commission to the Five Civilized tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized tribes or the United States Court in Indian Territory? A No sir.
Q Have you ever before this time sought to become enrolled as a member of the Choctaw tribe of Indians by making application? A I haven't my folks have often talked of it.
Q Well, you haven't have you? A No sir.
Q Is this the first application you have ever made for membership in the Choctaw Nation? A Yes sir.
Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw under article fourteen of the treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A Well, I think I do; I understand some of it.
Q Do you care to have it read and explained to you? A Well, I don't know whether it would do any good or not; I think I understand a little; I have heard it read and explained.

Article fourteen of the Treaty of Dancing Rabbit Creek was put in that treaty for the special benefit of those Choctaws who stayed back there in the old Choctaw Nation in Mississippi and Alabama when the rest of the Indians moved to the Choctaw Nation, Indian Territory, between 1833 to 1838. That treaty was made between the Choctaw Indians in Mississippi and Alabama and the United States Government for the sole purpose of getting all the Choctaw Indians to come to the new Choctaw Nation, Indian Territory. Before the treaty was signed it became evident that a good many Choctaw Indians would stay back in the old Choctaw Nation; so article fourteen was put into that treaty for that reason. A Yes sir. This article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privileges of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Now, do you know whether or not any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A No sir, I don't know.

- Q What was the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Thomas J. Love.
- Q What kin was he to you? A He was my grandmother's grandfather.
- Q I guess you are mistaken about that? A No sir; Thomas J. Love was my grandmother's grandfather.
- Q You claim through your mother? A Yes sir.
- Q What was her name? A Sarah Smith.
- Q What was her maiden name? A Sarah Brown.
- Q What was her father's name? A Thomas Arden Brown.
- Q She claimed through her--? A Mother.
- Q What was her mother's maiden name? A Love.
- Q What was the full name? A Lucy Love.
- Q Whom did she marry? A She married Thomas A. Love.
- Q Lucy Love claimed through which parent- father or mother? A Through her father.
- Q What was his name? A John Love; and John Love's father was named Thomas J. Love.
- Q Your mother was Susan Smith? A Yes sir.
- Q Your grandmother was A Lucy Love who married Brown? A Yes sir.
- Q And your great-grandfather was Thomas J. Love? A Yes sir.
- Q Thomas J. Love was your great-great grandfather? A Yes sir.
- Q Did he live in Mississippi or Alabama, or any time before that? A Well, I don't know.
- Q Do you know how much Choctaw blood he had? A I have been told a half; of course I don't know.
- Q Told by members of the family? A Yes sir.
- Q Did he have a Choctaw Indian name? A I don't know sir.
- Q Did he speak the Choctaw language? A I don't know sir.
- Q You don't know when or where he was born or died? A No sir.
- Q Did John Love live in Mississippi or Alabama- your great grandfather? A I don't know.
- Q Did your great-grandmother, Lucy Love, who married Brown, live there? A I don't know, where she was born; she lived in Little River County, Arkansas; I have seen the place they said belonged to my great grandfather.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830 and were heads of families there at that time? A I don't know sir.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation, Indian Territory with the other Indians between 1833 to 1838? A I don't know sir.
- Q Did any of your Choctaw ancestors go to the United States Indian agent within six months after the ratification of the treaty of Dancing Rabbit Creek and tell him that they intended to stay in Mississippi and take land there? A I don't know sir.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under article fourteen of the treaty of 1830? A I don't know.
- Q Did any of them claim or receive any land or any benefits of any kind under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.

Article fourteen was put into the treaty of 1830 for the special purpose of protecting the interests of those Choctaws who stayed

back there in the old Choctaw Nation in Mississippi or Alabama after the treaty was made when the other Indians came to the new Choctaw Nation, Indian Territory, between 1833 to 1838 or 1840. That treaty was ratified in 1831, February 24th, and according to the provisions of article fourteen all the Choctaw Indians who stayed back there were required to go to the Indian agent within six months from the ratification of the treaty and tell him that they wanted to stay in Mississippi and take land there. This Indian agent was required by the Government also to put their names upon his list known as Ward's Register; he failed to record the names of most of the Indians who did come before him under article fourteen of the treaty. And his failure and negligence to do so caused many Indians who lived in Mississippi and Alabama to lose their land and the improvements they had upon that land; the land was taken and sold by the Government. This caused many complaints among the Indians, so that in 1837, by Act of Congress approved March 3, that year, a Commission was appointed by Congress and this Commission went to the State of Mississippi and heard claimants under article fourteen. In 1842 Congress appointed another Commission for the same purpose to go to Mississippi and this Commission made a list of the names of all claimants who came before it.

Q Did any of your Choctaw ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of that treaty? A I don't know.

The Act of Congress approved August 23, 1842, provided that if any claimant came before the Commission of 1842 and proved his claim under article fourteen, if it also appeared that his land had been previously taken from him by the government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from vacant Government land and that certificates to that effect should be given to him; these certificates were called scrip.

Q Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know sir.

Q Have you any documentary evidence or any other proper evidence or testimony which you want to present now in support of this claim? Any papers? A No sir.

(Attorney, John London, says they will furnish necessary proof.)

Q Do you want time in which to present such proof? A Yes sir.

Reasonable time will be allowed this applicant in which to present documentary or any proper proof in support of this application which he makes for himself.

Q What relation is James Wilson to you? A Cousin.

Q Charles C. Brown? A My uncle.

Q A.P. Brown? A Uncle.

Q B.G. Brown? A Is uncle.

Q Effie B. Perry? A Aunt.

Q Juliett Pierce? A Aunt.

Q Thomas J. Wilson? A Cousin.

Q These and others have appeared for identification as Mississippi Choctaws before the Commission claiming through Thomas J. Love the common ancestor. Are they related to you? A Yes sir.

Q Do you want to have the testimony taken in their cases considered with yours in order that you may get the benefit? A Yes sir.

Q Do you understand or speak the Choctaw language? A No sir.

This applicant has the appearance and physical characteristics of being descended from white parentage; blue eyes, medium fair complexion, light brown hair, smooth face. Does not understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions, any of them, of the fourteenth article of the treaty of 1830.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 29th day of November, 1901.

Edmund M. Wood
Notary Public.

COPY.

M.C.R. 3945

Muskogee, Indian Territory, July 28, 1902.

David A. Smith,
Wilton, Arkansas.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3945
John H. Love, et al.,	" 3938
Will Love, et al.,	" 4296
Fannie Love,	" 4295
May Love,	" 4294
Bettie McConnell,	" 4293
Zeb Love,	" 4292
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4010
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4293
Charles G. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Jaliett Pierce, et al.,	" 3943
Effie E. Perry, et al.,	" 3942
B. G. Brown,	" 3941
Fannie H. Solomon, et al.,	" 4063
Mabel Gebb, et al.,	" 4301
Hiram Solomon,	" 4302
Benjamin F. Love, et al.,	" 3938
Thomas J. Wilson, et al.,	" 3944
James M. Wilson, et al.,	" 3945

D A S - 2

These applications were made under the provisions of the act of Congress of June 20, 1890 (26 Stat., 493) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows.

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lawander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Bob Love, David A. Smith, Katie A. Patterson, Annie Patterson, James T. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erma Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Mattie Brown, Myrtle Brown, Fannie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy M. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, W. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Muriah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

D. A. F. General

Notice to not be taken by him.

Yours truly,

(SIGNED)

Registered.

I. B. Needles

Commissioner in Charge

COPY.

M.C.R. 3948

Muskogee, Indian Territory, October 11, 1902.

David A. Smith,
Wilton, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

Commissioner in Charge.

No. 3945

For Identification as a Mississippi Choctaw.

Date

NOV 2 1901

Name David A. Smith.

Age 22 - Blood Don't Know.

Post Office, Wilton, Ark.

Father: David B. Smith, l.

Mother: Sarah " d.

Claims through mother.

~~Notes:~~

Claims for self alone.

H. G. Harris.

Choctaw MCR 3946

Grip Daniels

See MCR 3947

MCR 3946

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Grip Daniels, et al.
for identification as Mississippi Choctaws, consolidating the ap-
plications of:

Grip Daniels, et al., M.C.R. 3946
Bob Daniels, M.C.R. 3947.

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
Grip Daniels, et al.

	(Page)
Original application of Grip Daniels, et al., before the Dawes Commission for identification as Mississippi Choctaws.....	1
Original application of Bob Daniels before the Dawes Commission for identification as a Mississippi Choctaw.....	7
Testimony of Gas Griffin.....	12
Decision of the Commission refusing the applications in the consolidated case of Grip Daniels, et al., applicants for identification as Mississippi Choctaws.....	14.

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3946

In the matter of the application of Grip Daniels for the identification of himself and his minor child, Lula Daniels, as Mississippi Cheetaws.

John Lenden, attorney for applicant.

Grip Daniels being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Grip Daniels.
Q What is your age? A Somewhere about fifty four or five or fifty seven, I would suppose; I don't know my age right correctly.
Q What is your post office address? A ---
Q Where do you get your letters? A Richmond, Arkansas, Little River.
Q How long have you lived in Little River County? A All my life.
Q Were you born there? A Yes sir.
Q What is your father's name? A They tell me he was named Jackson Daniels- I never did see him- that's what the people tell me.
Q Dead or living? A He is dead.
Q What is your mother's name? A Priscilla Daniels. She lived with a Bradshaw.
Q Was your mother's name Priscilla Bradshaw? A Yes sir.
Q What is your mother's name? A Priscilla Daniels.
Q Is she living? A No sir, she is dead.
Q Through which parent do you claim Cheetaw blood? A Through my mother.
Q How much Cheetaw blood do you claim? A Well, she was called a half.
Q She claimed a half? A Yes sir.
Q And you claim a half of that? A Yes sir.
Q Do you know how much that is? A No sir, not exactly.
Q A half of a half is a quarter; do you claim a quarter? A Yes sir.
Q Has your mother ever been recognized in any way or enrolled as a member of the Cheetaw tribe of Indians by either the Cheetaw tribal authorities or the United States authorities? A No sir; I don't know she has.
Q Was your mother a slave before the war? A I don't know sir/ whether she was or not

A Yes; my mother was a slave before the war.

Q Was your father a slave before the war? A I don't know sir whether he was or not.

Q Were your father and mother married? A Yes sir.

Q Legally married- by a minister and under a license? A Yes sir; I was a little boy, but--

Q How old are you? A Fifty six.

Q Were you a slave before the war? A Yes sir.

Q And your mother was a slave; how do you know they were legally married, then? It was against the law, wasn't it? A I don't know sir.

Q Now, in reference to this fact as to whether or not your father and mother were married, have you any proof of their legal marriage with you that you would like to present to the Commission? A No sir

Q Do you think you can produce proof? A I don't know sir.

Reasonable time will be allowed you in which to produce proof of this marriage.

Q Are you married? A No sir; my wife's dead.

Q Have you any children under twenty one years of age--? A Under-yes, one.

Q Is she the mother of that child? A Yes.

Q What is the name of that child for whom you want to make application who is under twenty one years of age? A Lula Daniels.

Q Not married? A No sir.

Q How old is Lula? A She is three years old this coming X- Christmas.

Q Give me the name of the mother of this child, Lula Daniels?

A Her name is Susanna Ross.

Q Is she or was she a white? A No sir; negro. Goes by name of Ross

Q You were married to her were you? A No sir.

Q She wasn't your wife? A No sir.

Q That is an illegitimate child, then, is it? A Yes sir.

Q She was the mother? A Yes sir

Q You are the father? A Yes sir.

Q Were you never legally married to her? A No sir.

Q What was her blood? A She was a black woman.

Q Negro? A Yes sir, she was called a negro.

Q You don't claim any Choctaw blood, then for Lula Daniels through her mother, Susanna Ross, do you? A No sir.

Q You claim the Choctaw blood comes through you entirely? A Yes sir

Q You are a quarter Choctaw, you say? A Yes sir.

Q What is the other blood- negro? A Yes sir.

Q Is Lula Daniels living with you and supported by you? A Yes sir.

Q Are you living with y Susanna Ross? A No sir; I don't live with her.

Q You claim for yourself then, and this child? A Yes sir.

Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir; not as I know of.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been admitted into the Choctaw Nation by the Choctaw tribal authorities? A No sir.

Q Have you ever made application for citizenship in the Choctaw Nation to the Dawes Commission under Act of Congress of June 10, 1896? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Did you ever before this time make application for yourself and this child for citizenship in the Choctaw Nation to either the Choctaw tribal authorities or the United States authorities? A No sir.

Q Do you now come before the Commission for the purpose of identifying yourself and this child, Lula Daniels under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? Do you think you understand that article? A No sir.

The treaty of 1830 sometimes called the Treaty of Dancing Rabbit Creek was an agreement or compact that was made between the Choctaw Indians who lived in Mississippi and Alabama at that time and the United States Government; that treaty was made because the Government wanted to move all the Choctaw Indians who lived in Mississippi and Alabama from the old Choctaw Nation to the new Choctaw Nation, Indian Territory? A Yes sir.

Q Before that treaty was signed it became known that a good many Choctaw Indians wouldn't go to the Choctaw Nation, Indian Territory, and in order to protect their interests article fourteen was put into the treaty. Article fourteen reads as follows: "each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q You understand that article? A Yes sir.

Q Did any of your ancestors comply with any of the provisions of that article? A I don't know sir.

Q What was the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw?))))))

What is your grandfather or grandmother's name? Who is it you claim through as an Indian back there? A My mother.

Q What was her name? A She went by the name of Dickson Lewis.

Q Well, is your mother's name Priscilla Daniels? A Yes sir.

Q Does she claim through her father? A Yes sir.

Q What was his name? A Dixon Lewis.

Q Di-x-o-n Lewis, is that right? A I can't read.

Q Well, is Dixon Lewis right? A Yes sir.

Q Is he the Choctaw you claim through or does he claim through his father or mother? A (No answer.)

Q You claim through your mother, Priscilla Daniels, do you? A Yes.

Q And she claims through Dixon Lewis? A Yes sir.
 Q That's her father? A Yes sir.
 Q Did he claim through his father or mother? A I don't know; ('I can't tell. I just have to go by what the people told me.
 Q Did Dixon Lewis live in Mississippi or Alabama? A I don't know sir.
 Q How much Choctaw blood did he have? A I don't know sir.
 Q How do you know you have a quarter? A Well, I go by what the people tells me.
 Q What people? A My people.
 Q Who are they? A My sister.
 Q Did anybody else-? A Yes sir.
 Q Who else? A All my neighborhood calls me Choctaw there.
 Q What does your neighborhood know about it? A I don't know.
 Q Did Dixon Lewis have an Indian name? A I don't know.
 Q Did he speak the Choctaw language? A I don't know sir.
 Q When did he die? A I don't know sir.
 Q Where did he die? A I don't know.
 Q Where was he born? A I don't know.
 Q When was he born? A I don't know sir.
 Q Where did he live in his lifetime? A I don't know sir where he lived.
 Q Was your mother ever in Mississippi or Alabama? A I don't know sir whether she was or not; that's what they tell me.
 Q Who told you? A Some of my people.
 Q Give me the name of one of them? A One is called old man George Smith.
 Q What relation to you-? A He married my sister.
 Q He told you your mother lived in Mississippi? A He said they come from Mississippi.
 Q Was Priscilla Daniel born in Mississippi? A I don't know sir.
 Q Where did she die? A In Arkansas.
 Q How old would she be if living now? A I can't tell you.
 Q How long did she live in Mississippi? A I don't know sir.
 Q Were any of your Choctaw ancestors heads of families in Mississippi in 1830? A I don't know sir.
 Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know sir.
 Q Did any of your Choctaw ancestors go from the old Choctaw Nation to the new Choctaw Nation in the Indian Territory with the other Indians between 1833 to 1838? A No sir not as I heard of.
 Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent Col. Ward that they intended to stay in Mississippi and take land there? A Never heard of it.
 Q Did any of your Choctaw ancestors ever own or claim any land under article fourteen of the treaty of 1830? A I don't know sir.
 Q Did any of your Choctaw ancestors ever claim any land or improvements or benefits whatever under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty
 A I don't know sir.

The treaty of 1830 was ratified on the 24th day of February, 1831 and by the provisions of article fourteen of that treaty the United States Indian agent, Col. Ward, was required to take the names of all Choctaw Indians who came before him within six months after

the ratification of the treaty of 1830 and told him that they wanted to stay there and take land in Mississippi. A good many Indians did this whose names were not placed upon Ward's Register- there was no record made of their applications- a great many Indian names were thus left off of Ward's list and it caused great confusion and trouble among the Indians who stayed back there in Mississippi because a good many who had land in Mississippi and improvements were dispossessed by the Government of these lands and they were sold. This caused so many complaints among the Indians that finally in 1837 Congress appointed a Commission by Act of March 3, 1837, and this Commission went to the State of Mississippi and heard all claimants under article fourteen of that treaty and made lists of all who appeared before it. In 1842 another Commission was appointed for the same purpose and this Commission also heard all claimants under article fourteen that desired to come before it and made lists of their names.

Q Did any of your ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of that treaty? A I don't know sir.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim and if it also appeared at that time that his land had been previously been taken from him by the Government that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be given to him; these certificates were called scrip.

Q Do you know if any of your Choctaw ancestors received any such scrip from the Government as Choctaw Indians? A I don't know sir.

Q Have you any evidence, any papers of any kind, any documentary or other proper evidence you would like to file? A No sir.

Q Would you like time-,? A Yes sir.

Reasonable time will be allowed this applicant in which to file proper evidence in support of this claim which he makes for himself and child as Mississippi Choctaws.

Q Do you speak or understand the Choctaw language? A No sir.

Q You claim to be a quarter Choctaw and three quarters negro? A Yes.

Q You haven't as much Choctaw blood as negro blood, have you?

A I don't know sir.

Q What do you think about it? A I don't know.

Q Have you been considered more of a negro than Choctaw? A I don't know.

Q Is there anything more you want to say? A No sir; I believe not.

This applicant has the appearance and physical characteristics of being descended from a mixed parentage composed largely of negro; he claims Choctaw blood and he has Choctaw blood mixed with either negro or white- the Commission is unable to say. His color shows part negro; his features show either Caucasian cast or Indian- high cheek bones rather suggest the Indian blood; hair is long and straight, only at the ends a little curly;- it may be he

claims. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hains being duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 30th day of November, 1901.

Charles M. Wood
Notary Public.

COPY.

MS
C.W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Grip Daniels, et al.
for identification as Mississippi Choctaws, consolidating the ap-
plications of:

Grip Daniels, et al.,
Bob Daniels,

M.C.R. 3946
M.C.R. 3947.

D E C I S I O N

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commis-
sion by Grip Daniels for himself and his minor child Lula Daniels
and by Bob Daniels for himself under the following provision of
the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the
Choctaw lands under article fourteen of the treaty be-
tween the United States and the Choctaw Nation con-
cluded September twenty-seventh, eighteen hundred and
thirty, and to that end may administer oaths, examine
witnesses, and perform all other acts necessary there-
to and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights
in the Choctaw lands under article fourteen of the treaty between
the United States and the Choctaw Nation concluded September
twenty-seventh, eighteen hundred and thirty, by reason of being

descendants of Dixon Lewis, who is alleged to have been a full blood Cheetaw Indian.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Cheetaw tribal authorities as a member of the Cheetaw tribe, or admitted to Cheetaw citizenship by a duly constituted court or committee of the Cheetaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

The name Dixon W. Lewis appears on pages 892 and 849, of Volume I, of the Claimants Brief and Evidence, in the case of the Cheetaw Nation vs. the United States, before the Court of Claims, No. 12742, and also on pages 957, 958 and 959 of Volume II, of the above record; all the foregoing citations being references to certain lists, schedules and depositions relating to claims under the provisions of the treaty of "Dancing Rabbit Creek"; but it does not appear from the evidence submitted by the several applicants herein that the Dixon Lewis, through whom they claim, is the identical Dixon W. Lewis, whose name appears in the records above cited.

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Dixon Lewis,

through whom these applicants claim, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Cheetaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Grip Daniels, Lula Daniels and Bob Daniels as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Tams Bixby.

Acting Chairman.

T. B. Needles.

Commissioner.

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

FEB 13 1903

M.C.R. 3946.

Muskogee, Indian Territory, February 13, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 13th day of February 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Grip Daniels, et al., embracing the following applications for identification as Mississippi Choctaws:

Grip Daniels, et al.,
Bob Daniels,

M.C.R. 3946
M.C.R. 3947.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Grip Daniels, Lula Daniels and Bob Daniels as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Acting Chairman.

COPY.

M.C.R. 3946.

Muskogee, Indian Territory, February 13, 1903.

John London,
Attorney at Law,
Poteau, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of February 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Grip Daniels, et al., embracing the following applications for identification as Mississippi Choctaws:

Grip Daniels, et al.,
Bob Daniels,

M.C.R. 3946
M.C.R. 3947

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Grip Daniels, Lula Daniels and Bob Daniels as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said arti-

J L -2

ole fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamir P. P.

Acting Chairman.

Registered.

COPY.

M.C.R. 3946.

Muskogee, Indian Territory, February 13, 1903.

Grip Daniels,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 13th day of February 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Grip Daniels, et al., embracing the following applications for identification as Mississippi Choctaws:

Grip Daniels, et al.,
Bob Daniels,

M.C.R. 3946
M.C.R. 3947.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Grip Daniels, Lula Daniels and Bob Daniels as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

G D -2

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNET

Tams Bixby.
Acting Chairman.

Registered.

Muskogee, Indian Territory, March 2, 1903.

The Honorable

The Secretary of the Interior

Sir:

There is transmitted herewith the record in the consolidated case of Grip Daniels, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of February 13, 1903.

The above consolidated case embraces the following original applications heard by the Commission:

Grip Daniels, et al.,
Bob Daniels,

M.C.R. 3946
M.C.R. 3947

The Commission has the honor to report that the principal applicants in the two separate applications, their attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

James Dixby.
Chairman

Through the
Commissioner of Indian Affairs

2 inclosures: M.C.R. 3946

Land
14993-1903.

C O P Y.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, March 11, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record of the Commission to the Five Civilized Tribes in the consolidated case of Grip Daniels, et al., applicants for identification as Mississippi Choctaws, wherein the decision of the Commission rejecting the applicants was rendered on February 13, 1903.

Said consolidated case embraces the following applications:

Grip Daniels for himself and his minor child, Lula Daniels.

Bob Daniels for himself.

The applicants claim rights under the 14th article of the Choctaw treaty of 1830, by reason of their descent from Dixon Lewis.

The Commission finds that the name of Dixon W. Lewis appears on pages 592, 649, 957, 958 and 959, of the record of the case of the Choctaw Nation vs. The United States, in the Court of Claims (No 12742). On the ground, however, that the

evidence submitted does not show that Dixon Lewis, through whom the several applicants claim, is the identical Dixon W. Lewis whose name appears in the record cited and also for the reason that it does not appear from the testimony or from the records in the possession of the Commission that the said Dixon Lewis or an ancestor less remote complied or attempted to comply with the provisions of said 14th article, the applications of the parties are rejected by the Commission.

An examination of the records of this office shows that the only person by the name of Dixon W. Lewis appearing thereon was the son of Nah-ho-lubbe, whose application for scrip was rejected. See record of the case of the Choctaw Nation vs. United States, cited in the decision of the Commission. It further appears that said Dixon W. Lewis was under ten years of age at the date of the treaty of 1830. The names of Nah-ho-lubbe, Dixon W. Lewis and Dixon Lewis do not appear on the list of those Choctaw Indians who complied or attempted to comply with article 14 of the treaty of 1830.

It is, therefore, recommended that the decision of the Commission rejecting the applicants be approved.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

E.B.F. (G)

D.C. 9963.1903
I.T.D. 2732-1903.
L.R.S.

C O P Y.
E.A.F.

DEPARTMENT OF THE INTERIOR
WASHINGTON.

April 4, 1903.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

March 2, 1903, you transmitted the record in the matter of the applications for identification as Mississippi Choctaws, of Grip Daniels and his minor child, Lula Daniels, and of Bob Daniels. You denied the applications February 13, 1903.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Dixon Lewis, alleged to have been a full blood Choctaw Indian.

The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that said Dixon Lewis complied or attempted to comply with said article 14 or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

Reporting March 11, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

-2-

Upon a careful examination of the whole record,
the Department affirms your decision.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, April 18, 1903.

John London,
Attorney-at-Law,
Poteau, Indian Territory.

Dear Sir:

You are hereby notified that on the 4th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Grip Daniels, et al., of which decision you were advised by registered mail on the 13th day of February, 1903.

Respectfully,

(ED).

Tame Dixby.
Chairman.

COPY.

Muskogee, Indian Territory, April 18, 1903.

Grip Daniels,

Richmond, Arkansas.

Dear Sir:

You are hereby notified that on the 4th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Grip Daniels, et al., of which decision you were advised by registered mail on the 13th day of February, 1903.

Respectfully,

Chairman.

COPY.

Muskogee, Indian Territory, April 18, 1903.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 4th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Grip Daniels, et al., of which decision you were advised by mail on the 13th day of February, 1903.

Respectfully,

(SIGNED).

James Bixby
Chairman.

Card No.

NAME

RESIDENCE
DISTRICT

POST OFFICE

AGE

SEX

REFER TO M. C. R.

3946

Grip Daniels
et al

Consolidated Case

Nickson Lewis

Priscilla Lewis $\frac{1}{2}$
slave

mar
Jackson Daniels

7/28/41
7/29/41
7/30/41
Snip Daniels 54-57
 $\frac{1}{4}$ negro slave
wife
Joanna Daniels, dead

7/28/41
7/29/41
7/30/41
Bob Daniels 23 1/8
negro
wife
Mary Daniels, negro

7/28/41
7/29/41
7/30/41
Kula Daniels 3
* Illegitimate Child - Mother mixed with Rose negro

Daniels
mar
George Smith

No. 3946

For Identification as a Mississippi Choctaw.

NOV 2 1901

Date

Name Grip Daniels

Age 57 Blood 1/4 choc, 3/4 neg.

Post Office, Richmond, Ark.

Father: Jackson Daniels, d

Mother: Priscilla B Daniels, d

Claims through mother

Susanna Ross, negro,
mother of Lula Daniels
Susanna Ross was next of kin
wife of applicant -
Children:

Lula Daniels, 2

Claims for self &
his natural child,

G. H. Daniels

Choctaw MCR 3947

Bob Daniels

See MCR 3946

MCR 3947

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MURKOOKS, I.T. NOVEMBER 2, 1901.

3947

In the matter of the application of Bob Daniels for identification as a Mississippi Choctaw.

John London, attorney for applicant.

Bob Daniels being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Bob Daniels.
Q What is your age? A I am about twenty three years old the past March 17th.
Q What is your post office address? A Richmond, Arkansas; Little River County.
Q How long have you lived at Richmond? A All my life.
Q Were you born there? A Yes sir.
Q What is your father's name? A Grip Daniels.
Q He is living? A Yes sir.
Q He just appeared for identification, November 2, didn't he before the Commission? A Yes sir.
Q What is your mother's name? A Joanna Daniels.
Q J-e-a-n-a? A Yes sir.
Q Living? A No sir, she's dead.
Q Through which parent do you claim Choctaw blood? A Father.
Q Not through your mother? A No sir.
Q How much Choctaw blood do you claim through your father? A Oh, about a third I reckon.
Q You claim a third Choctaw blood? A Yes sir.
Q Are you sure about that now? A Yes sir. From my recollection.
Q Well, your father claimed a fourth and you claim a third? A No sir; about a sixth, then, I reckon.
Q Well, now there's no such amount as that, that I know of. Guess again. A I don't really understand.
Q Well, your father claims a quarter; do you know how much you claim? A One fifth.
Q No; guess again. A (No answer.)
Q Your father claimed a quarter; you would claim a half of that, wouldn't you? A Yes sir.
Q A half of a quarter is how much? Do you know? Can you read and write? A Yes sir.
Q Can you figure? A A little.
Q Do you know how much a half of a quarter is? A No sir.

- Q That's an eighth; do you claim that? A Yes sir.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in Indian Territory? A No sir.
Q Were your father and mother married? A Yes sir ; so I have been told.
Q When and where were they married? A I don't know sir.
Q Were they married by a minister under a license? A Yes sir; so I have been told.
Q Have you proof of their marriage with you? A No sir.
Q Do you think you can present it later, if given time? A Yes sir.

Reasonable time will be allowed this applicant in which to present proper proof of the marriage of his father and mother.

- Q Are you married? A Yes sir.
Q What is your wife's name? A Mary Daniels.
Q Is she a white woman or negro? A Negro, I guess.
Q Was your father a slave before the war? A Yes sir.
Q Was your mother, Jeanna a slave before the war? A Yes sir.
Q Were they married during slavery times, during those days? A Yes, I suppose they was.
Q Do you make claim for your wife? A No sir.
Q If you claim to be an eighth Choctaw what is your other blood? Negro or white or both? A I reckon it's white.
Q One eighth Choctaw and the rest white? A Yes sir.
Q No negro blood at all? A No sir.
Q Are you sure about that? A I suppose.
Q You are under oath. Don't you know? A No sir.
Q You have negro blood in you, haven't you? A Yes sir, I believe I have.
Q Well, what makes you say you are all white except the Indian blood? A I didn't understand.
Q Have you any white blood at all? A If I has I don't know.
Q You think you have negro blood? A Yes sir.
Q And you think you have some Indian blood, do you? A Yes sir.
Q Have you any children? A No sir.
Q You claim for yourself alone, then, do you? A Yes sir.
Q When and where were you married to Mary Daniels, your wife?
Q At Richmond in Arkansas.
Q What year? A 1900, May 13.
Q By a minister under a license? A By a minister, yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities in the Indian Territory? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes-? A No sir.
Q Have you ever made application for citizenship to the Choctaw tribal authorities-? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory? A No sir.
Q Is this the first application for citizenship in the Choctaw Nation that you have ever made to either the Choctaw tribal authorities or the United States authorities? A Yes sir.

Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A No sir.

The treaty of 1830 was entered into between the Choctaw Indians who lived in Mississippi and Alabama in what was known as the old Choctaw Nation- at Dancing Rabbit Creek, September 27th, 1830- and was made for the purpose of the removal of all the Choctaw Indians from the old Choctaw Nation in Mississippi and Alabama to the new Choctaw Nation, Indian Territory. Before that treaty was signed it became evident that a great many Choctaw Indians wouldn't go to the Choctaw Nation in Indian Territory with the other Indians and so article fourteen was put into the treaty: article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent? If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you understand that article of that treaty? A No sir.

Q You don't understand it after my explaining and reading it to you? A No sir; I can't keep or remember all that.

Q I asked you if you understood it? A Yes sir; I understand it.

Q Understand it pretty well? A Yes sir.

Q Do you know if any of your Choctaw ancestors ever complied with any of the provisions of that article of that treaty? A No sir.

Q What is the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Priscilla.

Q Well, Priscilla Daniels is your grandmother, isn't she? A Yes sir.

Q What's your father's mother? A Yes sir.

Q How whom did she claim through? A (No answer).

Q Ever hear of Dixon Lewis? A Yes sir.

Q What relation was he to you? A Great grandfather, I suppose.

Q It is Priscilla's father, isn't it? A Yes sir.

Q Dixon Lewis was Priscilla's father? A Yes sir.

Q Did Dixon Lewis or Priscilla Daniels live in Mississippi or Alabama in 1830? A No sir; I don't know.

Q Ever hear of it? A No sir.

Q How much Choctaw was Dixon Lewis? A I don't know.

Q Did you ever hear that he had Choctaw blood? A I have heard so.

Q Ever hear that his daughter Priscilla had? A No sir.

Q You don't really know how much Choctaw blood Dixon Lewis or Priscilla Daniels had? A No sir.

Q Did Dixon Lewis have an Indian name? A I don't know.

- Q Did Priscilla Daniels have an Indian name? A I don't know.
Q Did either speak Choctaw? A I don't know.
Q How old would he be now if living? A I don't know.
Q Where was your father born? A I don't know sir. Little River, he was born. his
Q Where was your mother, Priscilla, born? A I don't know.
Q Do you know where or when she died? A No sir.
Q Did any of your Choctaw ancestors live in Mississippi or Alabama in 1830 and were heads of families there at that time? A I don't know sir.
Q Did any of your Choctaw ancestors own any improvements on land in Mississippi in 1830? A I don't know sir.
Q Did any of them go from Mississippi or Alabama to the Choctaw Nation, Indian Territory, with the other Indians, between 1833 to 1838? A No sir, I don't know sir.
Q Did any of your Choctaw ancestors go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I don't know sir.
Q Did any of your Choctaw ancestors own or claim any land in Mississippi under article fourteen of the treaty-? A No sir; I don't know.
Q Did any of your Mississippi Choctaw ancestors claim or own any land or improvements or any benefits under article fourteen of the treaty or any other article thereof, or under the supplement to that treaty? A I don't know sir.

After the treaty of 1830 was ratified and after a good many Choctaw Indians had gone to the Choctaw Nation, Indian Territory, there still remained a good many Indians in Mississippi and Alabama who never went to the Choctaw Nation, Indian Territory, and who refused to go at that time that treaty was made. Their names were to be put on the list called Ward's Register but many of them were not put on the list; a small part of them a small number of names went down on what was called Ward's register, and only a small portion of those who came before Wrd within the six months after the treaty and told him they wanted to stay in Mississippi and take land there. Because of his negligence in not making a complete and proper list of all Indians who came before him many Indians who had land in Mississippi had that land taken from them by the Government and sold, with the improvements. This caused many complaints so that in 1837 Congress appointed a Commission which went to Mississippi and heard claimants under article fourteen of the treaty of 1830 and made lists of all people that came before that Commission claiming under that article of that treaty. In 1842 another Commission was appointed by Congress for the same purpose and this Commission went to the State of Mississippi and heard claimants under article fourteen of the treaty of Dancing Rabbit Creek.

- Q Did any of your Choctaw ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under that article of that treaty? A No sir; I don't know.
Q Have you any documentary evidence you want to give the Commission now in support of this claim? A No sir.
Q Do you want time to present this evidence? A Yes sir.

Reasonable time will be allowed this applicant in which to furnish evidence in support of his claim

Q. Do you speak Choctaw? A. Yesir.

This applicant has the appearance and physical characteristics of being descended from ancestry of mixed blood, mainly negro, some Indian or white. He says he has no white blood; claims Indian and negro blood; he has dark complexion and hair somewhat like Indian, but more like negro. The Commission is unable to determine whether the mixture is negro and white or negro and Indian. There is no reason to dis-believe his statement that he has Indian blood. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

-e s-s-c-c-c-c-c-c-c-c-c-

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 30th day of November, 1901.

Chas. M. McLeod

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

Testimony of Gas Griffin

In the matter of the application of Grip Daniels et al., for identification as Mississippi Choctaws, heard at Atoka- Muskogee, I.T. November 2, 1901. M.C.R. 3946

In the matter of the application of Bob Daniels for identification as a Mississippi Choctaw, heard at Muskogee, I.T. November 2, 1901. M.C.R. 3947

Gas Griffin being duly sworn as a witness in these cases testified as follows:

Examination by John London, attorney for applicants.

- Q What is your name? A Gas Griffin.
Q Where do you live? A Little River County, Arkansas.
Q How old are you? A I call myself going on eighty six years old as near as I can get it.
Q What do you do? What is your occupation? A Farming.
Q Are you a negro? A Yes sir; full-blood.
Q Do you know Grip Daniels? A I do.
Q Do you know his mother? A Yes sir.
Q What was her name? A Was Priscilla Lewis before she married.
Q What was her father's name? A I think her father's name was Dixon Lewis.
Q Where did you know him? A Lauderdale, Mississippi.
Q Was he negro or Indian? A Indian.
Q Did he come West with the Choctaw band of Indians when they removed out here? A No sir; they graduated him there and kept him there four or five years for a preacher.
Q Do you know if Priscilla's mother was married to Dixon Lewis?
A I don't think he was.
Q Do you know if Dixon Lewis owned any land in Mississippi in 1833 or 1838? A I don't know.
Q Do you know whether or not he went to the Col. Ward in 1833 or 1830 and told Col. Ward that he wanted to stay in Mississippi and take his land there instead of-- A I don't know about that.
Q He was a full-blood Indian was he? A Yes sir.

(Witness excused.)

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the five Civilized tribes he reported

in full the above testimony on November 2, 1901, and that this is
a full, true and correct transcript of his stenographic notes in
said cause on said date.

Henry G. Harris

Subscribed and sworn to before me this 2 day of December, 1901.

Charles M. [illegible]
Notary Public.

M.C.R. 3947.

Muskogee, Indian Territory, February 13, 1903.

Bob Daniels,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 13th day of February 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Grip Daniels, et al., embracing the following applications for identification as Mississippi Choctaws:

Grip Daniels, et al.,
Bob Daniels,

M.C.R. 3946
M.C.R. 3947.

These applications were made under the provision of the act of Congress of June 26, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Grip Daniels, Lula Daniels and Bob Daniels as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

B D -2

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

Tamc Dickson

Acting Chairman.

Registered.

Q. 7.

M.C.R. 3947

Muskogee, Indian Territory, April 18, 1903.

Bob Daniels,

Richmond, Arkansas.

Dear Sir:

You are hereby notified that on the 4th day of April, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Grip Daniels, et al., of which decision you were advised by registered mail on the 13th day of February, 1903.

Respectfully,

ED.

Chairman.

No. 3947

For Identification as a Mississippi Choctaw.

Date

NOV 2 1901

Name *Bob Daniels*

Age *23* — Blood *1/8* —

Post Office, *Richmond, Ark.*

Father: *Grip Daniels, l.*

Mother: ~~Joanna~~ *Joanna, d*

Claims through *father,*
wife. Mary Daniels, Negro.
No claim for wife.

~~CLAIM~~

*Claim for self
alone.*

H. C. Hams

Choctaw MCR 3948

Henry T. Love

See MCR 3933, 4296, 4293
4294, 4295, 4297, 3945 4519
4292, 4298, 3939, 3940, 3943
3942, 3941, 4063, 4301, 4302
3932, 3944, 3938

MCR 3948

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3948

In the matter of the application of Benjamin F. Love for the identification of his nephew, Henry T. Love, permanently disabled, as a Mississippi Choctaw.

John London, attorney for applicant.

Benjamin F. Love being first duly sworn testified as follows :

Examination by the Commission:

- Q What is your name? A Benjamin F. Love.
Q What is your age? A Fifty seven.
Q What is the age of Henry T. Love? A He is about sixty three; I don't know when he was born.
Q Are you now making application for the identification as a Mississippi Choctaw of Henry T. Love? A Yes sir.
Q Is he permanently disabled so that he cannot make it himself? A Yes sir.
Q You introduce this certificate and power of attorney in proof of that? A Yes sir.
Q What relation is he to you? A Nephew.
Q Where does he live? A In Richmond.
Q What is the name of the father of Henry T. Love? A John Love.
Q What is his mother's name? A Susan Love.
Q Is John Love living? A No sir.
Q Is Susan Love living? A No sir.
Q Through which parent do you claim for Henry T. Love? A Through John Love, his father.
Q He gets his Choctaw blood from him? A Yes sir.
Q How much Choctaw blood do you claim for Henry T. Love? A A fourth.
Q Has his father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities? A No sir.
Q When and where were John Love and Susan Love, parents of Henry T. Love, married? A In Mississippi I think.
Q Do you remember the date? A No sir.
Q Do you think proper proof of their marriage can be produced? A Yes sir; I think so.

Reasonable time will be allowed in which to introduce it.

- Q Is Henry T. Love married? A Yes sir.
Q Is his wife living? A No sir.

- Q Has he any minor children? A No sir; they are all of age.
Q Then you simply make application for him alone? A Yes sir.
Q What was his wife's name? A Jinney A. Love.
Q Was she a white woman? A Yes sir.
Q Do you know when and where Henry T. Love and his wife, Jinney A. Love, were married? A In Arkansas- Sevier County it was at that time.
Q You don't remember the date? A No sir; way back in fifties.
Q Under a license? A No sir; there was no license required at a that time.
Q Is the name of Henry T. Love to be found on any of the tribal rolls of the Choctaw Nation in Indian Territory? A Guess not sir.
Q Did he make application or any one for him for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
Q Did he or any one for him make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir; I guess not.
Q Has he ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Has he or any one for him prior to this time made application for enrollment as a member of the Choctaw tribe of Indians to either the Choctaw tribal authorities or the United States authorities? A No sir.
Q You now come before the Commission for the purpose of identifying your nephew, Henry T. Love, as a Mississippi Choctaw claiming under article fourteen of the treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty so as to claim intelligently under it for your nephew? A Yes; I have had it explained several times.
Q Do you waive further explanation of it? A Yes sir.

Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now as you have heard it read and explained and as you understand it do you know whether your nephew's ancestors ever complied or attempted to comply with any of the provisions of article fourteen of the treaty? A No sir, I don't know.
Q What was the name of the ancestor of Henry T. Love from whom you claim for him the right to be identified as a Mississippi Choctaw? A Thomas J. Love.

- Q Was he a Choctaw Indian? A No sir. Said to be half breed sir.
- Q How do you know he was a half? A I have been told so by family tradition.
- Q Did he speak the Choctaw language? A I can't tell you.
- Q Did he have a Choctaw Indian name? A I don't know.
- Q Did he live in Mississippi or Alabama? A Yes sir.
- Q Did he live in Mississippi in 1830 and was a recognized head of family there at that time? A Yes I think so.
- Q Is that a matter of family history and tradition? A Yes sir.
- Q He claims through which parent, father or mother? A Through his father.
- Q His father's name was--? A John Love.
- Q Did he ever live in Mississippi? A Yes sir.
- Q Was he born there? A Yes sir.
- Q When? A 1814.
- Q Well, wasn't John the Mississippi Choctaw ancestor who lived there at that time and was the head of a family? A No sir it was his father. (Attorney London says he would have been only fifteen then.)
- Q Do you know how old Thomas J. Love would be if living now?
- A In 1785 born.
- Q When did he die? A In 1845.
- Q Where? A In Texas, Bowie County.
- Q Did any of the Choctaw ancestors of this Henry T. Love own any improvements on land in Mississippi or Alabama in 1830? A Well, I suppose his grandfather did; I have been told he did.
- Q Do you know sure? A No sir.
- Q You just-- A That's only tradition; we say that my grandfather lived in Mississippi in 1830.
- Q That's a matter of tradition that he had improvements? A Yes sir.
- Q Did any of his ancestors go from the Mississippi or Alabama to the Choctaw nation, Indian Territory with the other Indians between 1833 to 1838? A No sir.
- Q Did any of the Choctaw ancestors of Henry T. Love go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I can't tell.
- Q Did any of his Choctaw ancestors own or claim any land under article fourteen of the treaty of 1830 in Mississippi or Alabama?
- A Not that I know sir.
- Q Did they own or claim or receive any land or benefits under any other article of that treaty than article fourteen or under the supplement to that treaty? A Not as I know sir.

The treaty of 1830 was ratified on the following year on the 24th day of February 1831. Article fourteen which was incorporated into the treaty for the benefit of those Choctaw Indians who stayed back there in Mississippi provided that if any Choctaw Indian did want to stay and take land there in Mississippi and afterwards wanted to come to the Indian Territory could do so provided he went to the Indian agent within six months after the ratification of that treaty and told him that they wanted to stay in Mississippi take land there and become citizens of the States. The United States Indian agent was required to put his name down on a list known as Ward's Register; he failed to do so in the great majority of the cases: his list known as Ward's register contains the names of only a few of the total number of those who appeared before him. This negligence to make a full, and complete list caused many Indians to lose their lands and improvement for it was taken from them and sold by the Government at Public Land Sale. This caused so many com-

plaints that finally in 1837 Congress appointed a Commission which went to Mississippi and heard all claimants under article fourteen and made lists of the claimants who came before it. In 1842 Congress appointed another Commission for the same purpose and this Commission went to Mississippi and heard claimants under article fourteen.

Q Do you know if any of these ancestors went before either the Commission of 1837 or that of 1842 and claimed benefits under article fourteen of the treaty? A No sir.

Q Have you any documentary evidence? A No sir.

Q Do you know if any of these Choctaw Ancestors received any scrip which entitled them to select land either in Mississippi, Alabama, Louisiana or Arkansas? A No sir; I don't know.

Q You understand that this scrip was certificates issued to those who had complied and whose land had been taken from them by the Government? A Yes sir.

Q They didn't get any? A No sir.

Q Do you want time in which to introduce documentary evidence? A Yes sir.

Reasonable time will be allowed this applicant in which to file proper testimony or other evidence in support of this application which he makes in behalf of his nephew, Henry T. Love.

Q Is there anything more you want to say in reference to this application? A Nothing at all.

According to the instructions received from the Interior Department a description should be given in every case of the applicant who comes before this Commission to be identified. In the absence of this applicant because of his inability to come before the Commission, his Uncle appears for him and, in response to questions by the Commission, testified as follows:

Q What is the personal appearance of Henry T. Love? A He is light complected; blue eyes, light hair, light brown; white gray whiskers, was once light brown.

Q Does he understand Choctaw? A No sir I don't think he does; he used to live close to the Choctaw line and mixed with them but I don't think he talked it.

-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the above proceedings on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 30th day of November, 1901.

Wm. M. Wood
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Henry T. Love for
 identification as a Mississippi Choctaw, consolidating the applica-
 tions of

Henry T. Love.....	M.C.R.	3948
John H. Love, et al.....	M.C.R.	3938
Will Love, et al.....	M.C.R.	4296
Fannie Love.....	M.C.R.	4293
May Love.....	M.C.R.	4294
Bettie McConnell.....	M.C.R.	4295
Zeb Love.....	M.C.R.	4297
David A. Smith.....	M.C.R.	3946
Katie A. Patterson, et al.....	M.C.R.	4579
Lula T. Johnson, et al.....	M.C.R.	4292
Pink Smith, et al.....	M.C.R.	4298
Charles C. Brown, et al.....	M.C.R.	3939
A. P. Brown, et al.....	M.C.R.	3940
Juliett Pierce, et al.....	M.C.R.	3943
Effie B. Perry, et al.....	M.C.R.	3942
B. G. Brown.....	M.C.R.	3941
Fannie H. Coleman, et al.....	M.C.R.	4063
Mabel Cobb, et al.....	M.C.R.	4301
Hiram Coleman.....	M.C.R.	4302
Benjamin F. Love, et al.....	M.C.R.	3932
Thomas J. Wilson, et al.....	M.C.R.	3944
James H. Wilson, et al.....	M.C.R.	3938.

List of papers forwarded to the Secretary of the Interior
 comprising the record in the consolidated case of
 Henry T. Love.

Original application of Henry T. Love to
 the Dawes Commission for identification
 as a Mississippi Choctaw.....1

(2).

Affidavit of disability of Henry T. Love.....	8.
Original application of John H. Love, et al to the Dawes Commission for identification as Mississippi Choctaws.....	6
Original application of Will Love, et al., to the Dawes Commission for identification as Mississippi Choctaws.....	11
Original application of Fannie Love to the Dawes Commission for identification as a Mississippi Choctaw.....	16
Original application of Ray Love to the Dawes Commission for identification as a Mississippi Choctaw.....	21
Original application of Bettie McConnell to the Dawes Commission for identifica- tion as a Mississippi Choctaw.....	26
Original application of Zeb Love to the Dawes Commission for identification as a Mississippi Choctaw.....	31
Original application of David A. Smith to the Dawes Commission for identification as a Mississippi Choctaw.....	35
Original application of Katie A. Patterson et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	40
Original application of Lula T. Johnson, et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	45
Original application of Pink Smith, et al., to the Dawes Commission for identification as Mississippi Choctaws.....	50
Original application of Charles C. Brown, et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	57
Original application of A. P. Brown, et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	63
Original application of Juliett Pierce, et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	68

(3).

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-----;-----

Green
C. v. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Henry T. Love, et al., for identification as Mississippi Choctaws, consolidating the applications of

Henry T. Love.....	M.C.R.	3948
John H. Love, et al.....	M.C.R.	3933
Will Love, et al.....	M.C.R.	4296
Fannie Love.....	M.C.R.	4293
May Love.....	M.C.R.	4294
Bettie McConnell.....	M.C.R.	4295
Eeb Love.....	M.C.R.	4297
David A. Smith.....	M.C.R.	3945
Katie A. Patterson, et al.....	M.C.R.	4519
Lulu T. Johnson, et al.....	M.C.R.	4292
Pink Smith, et al.....	M.C.R.	4298
Charles G. Brown, et al.....	M.C.R.	3939
A. P. Brown, et al.....	M.C.R.	3940
Juliett Pierce, et al.....	M.C.R.	3943
Effie E. Perry, et al.....	M.C.R.	3942
B. G. Brown.....	M.C.R.	3941
Fannie E. Coleman, et al.....	M.C.R.	4065
Nabel Cobb, et al.....	M.C.R.	4301
Hiram Coleman.....	M.C.R.	4302
Benjamin F. Love, et al.....	M.C.R.	3922
Thomas J. Wilson, et al.....	M.C.R.	3944
James H. Wilson, et al.....	M.C.R.	3938.

--: D E C I S I O N :--

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission, by Benjamin F. Love for his nephew, Henry T. Love; by John H.

(2).

Love for himself and his minor child, Lewander Love; by Will Love for himself and his two minor children, Henry and Roy Love; by Fannie Love for herself; by May Love for herself; by Bettie McConnell for herself; by Leb Love for himself; by David A. Smith for himself; by Katie A. Patterson for herself and her two minor children, Annie and James E. Patterson; by Lulu T. Johnson for herself and her minor child, Leroy Johnson; by David B. Smith for his six minor children, Pink, Erna, Verna, Lucy T., Clyde and Sarah Smith; by Charles C. Brown for himself and his three minor children, Mattie P., Albert B. and Charles T. Brown; by A. P. Brown for himself and his four minor children, Hattie, Myrtle, Ranie and Louise Brown; by Juliett Pierce for herself and her six minor children, Robert A., Sarah E., Lucy M., James T., Louis G. and Joseph A. Pierce; by Effie E. Perry for herself and her two minor children Bob and Birdie Perry; by B. G. Brown for himself; by Fannie E. Coleman for herself and her four minor children, Kate, Preston, Annie and Arlie Coleman; by Mabel Cobb for herself and her two minor children, Guy and Ray Cobb; by Hiram Coleman for himself; by Benjamin F. Love for himself and his two minor children, Benjamin F. Jr. and Mathew L. Love; by Thomas J. Wilson for himself and his three minor children, Mamie, Jesse and Roy Wilson; and by James H. Wilson for himself and his five minor children, Ed, Celatus, Burlah, Ethel and Mary Wilson, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the

(3).

United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Thomas J. Love, who is alleged to have been an one-half blood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty; and the minor children of Charles C. Brown, in addition claim rights as aforesaid by reason of being descendants of one Albert Gresham, their alleged maternal grandfather, who is alleged to have been a Choctaw Indian (degree of blood not given).

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian territory, under the provisions of the act of Congress approved June 16, 1896, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the

(4).

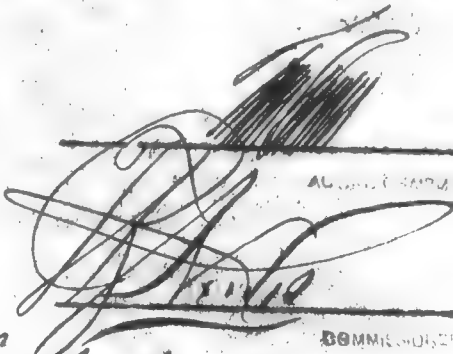
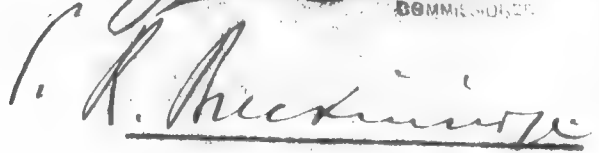
treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Thomas J. Love, Albert Gresham, or ancestors less remote, or any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Cheetaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180), and August 23, 1842, (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Hattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy H. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, E. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Cheetaw Indians entitled to rights in the Cheetaw lands under the

(3).

provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


A. H. H.
COMMISSIONER

C. R. Buckner
COMMISSIONER

Muskogee, Indian Territory,

JUL 18 1902.

COPY.

M.C.N. 8948.

Muskogee, Indian Territory, October 11, 1902.

Henry T. Love,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

(SIGNED)

I. B. Needles.

Commissioner in Charge.

COPY.

M.C.R. 3948

Muskogee, Indian Territory, October 11, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by mail on the 18th day of July, 1902.

Respectfully,

I. D. Needles.
Commissioner in Charge.

COPY.

M.C.R. 3948

Muskogee, Indian Territory, October 11, 1902.

John Londen, Esq.,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry T. Love, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

I. E. Woodies.
Commissioner in Charge.

COPY.

M.C.R. 3943

Muskogee, Indian Territory, July 16, 1908.

Henry T. Love,

Richmond, Arkansas.

Dear Sir:

You are hereby advised that on the 16th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., concerning the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3943
John H. Love, et al.,	" 3933
Will Love, et al.,	" 4296
Fannie Love,	" 4295
May Love,	" 4294
Bettie Macdonell,	" 4293
Bob Love,	" 4297
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4819
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. B. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3942
Effie E. Perry, et al.,	" 3941
B. B. Brown,	" 4063
Fannie B. Coleman, et al.,	" 4301
Mabel Cobb, et al.,	" 4302
Hiram Coleman,	" 3944
Benjamin F. Love, et al.,	" 3946
Thomas J. Wilson, et al.,	" 3947
James H. Wilson, et al.,	" 3948

H T L ----2

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John H. Love, Lewander Love, Will Love, Henry Love, Ray Love, Fannie Love, May Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles G. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Rattie Brown, Myrtle Brown, Ranie Brown, Louise Brown, Juliett Pierce, Robert A. Pierce, Sarah E. Pierce, Lucy M. Pierce, James T. Pierce, Louis G. Pierce, Joseph A. Pierce, Effie E. Perry, Bob Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Mabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

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action as may be taken by him.

Yours truly,

(SIGNED)

Registered,

I. B. Needles.

Commissioner in Charge.

COPY.

N.C.R. 3948

Muskogee, Indian Territory, July 18, 1902.

John London,

Attorney at Law,

Poteau, Indian Territory.

Dear Sir:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	N.C.R. 3948
John H. Love, et al.,	" 3933
Will Love, et al.,	" 4296
Samuel Love,	" 4293
Mr. Love,	" 4294
Bettie McConnell,	" 4295
Zeb Love,	" 4297
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4519
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 3946
Charles C. Brown, et al.,	" 3939
A. B. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie E. Perry, et al.,	" 3942
C. Brown,	" 3941
Fannie M. Coleman, et al.,	" 4063
Abel Cobb, et al.,	" 4501
Miriam Coleman,	" 4302
Benjamin F. Love, et al.,	" 3938
Thomas J. Wilson, et al.,	" 3944
James H. Wilson, et al.,	" 3945

These applications were made under the provisions of the act of Congress of June 26, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry A. Love, John H. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, Ray Love, Bettie McConnell, Zeb Love, David A. Smith, Katie A. Patterson, Annie Patterson, James E. Patterson, Lulu T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verma Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert C. Brown, Charles T. Brown, A. P. Brown, Mattie Brown, Myrtle Brown, Annie Brown, Louise Brown, Juliette Pierce, Robert A. Pierce, Sarah A. Pierce, Lucy H. Pierce, James T. Pierce, Louis C. Pierce, Joseph A. Pierce, Effie E. Perry, Boo Perry, Birdie Perry, B. G. Brown, Fannie E. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlie Coleman, Nabel Cobb, Guy Cobb, Ray Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew L. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James H. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

J 1 -----3

action as may be taken by him.

Yours truly,

(SIGNED).

Register ...

Commissioner in Charge.

COPY.

M.C.R. 3948

Muskogee, Indian Territory, July 18, 1902.

Messrs. Mansfield, McMurtry & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 18th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry T. Love, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry T. Love,	M.C.R. 3948
John H. Love, et al.,	3933
Will Love, et al.,	4298
Fannie Love,	4293
May Love,	4294
Bettie McConnell,	4295
Zeb Love,	4297
David A. Smith,	3946
Katie A. Patterson, et al.,	4519
Julia T. Johnson, et al.,	4292
Pink Smith, et al.,	4292
Charles C. Brown, et al.,	3939
A. P. Brown, et al.,	3940
Juliett Pierce, et al.,	3943
Effie R. Perry, et al.,	3942
B. G. Brown,	3941
Fannie W. Coleman, et al.,	4063
Mabel Cobb, et al.,	4301
Hiram Coleman,	4302
Benjamin F. Love, et al.,	3938
Thomas J. Wilson, et al.,	3944
James H. Wilson, et al.,	3938

M M & C -----2

These applications were made under the provisions of the act of Congress of June 20, 1898 (30 Stats., 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry T. Love, John M. Love, Lewander Love, Will Love, Henry Love, Roy Love, Fannie Love, Lee Love, Lettie McConnell, Zeb Love, David A. Smith, Katie J. Patterson, Annie Patterson, James M. Patterson, Lula T. Johnson, Leroy Johnson, Pink Smith, Erna Smith, Verna Smith, Lucy T. Smith, Clyde Smith, Sarah Smith, Charles C. Brown, Mattie P. Brown, Albert S. Brown, Charles T. Brown, A. P. Brown, Mattie Brown, Myrtle Brown, Marie Brown, Louise Brown, Eliott Pierce, Robert A. Pierce, Sarah J. Pierce, Lucy L. Pierce, James T. Pierce, Louis G. Pierce, Joseph J. Pierce, Effie M. Perry, Rob Perry, Birdie Perry, F. G. Brown, Fannie M. Coleman, Katie Coleman, Preston Coleman, Annie Coleman, Arlio Coleman, Label Cobb, Guy Cobb, Ed Cobb, Hiram Coleman, Benjamin F. Love, Benjamin F. Love, Jr., Mathew J. Love, Thomas J. Wilson, Mamie Wilson, Jesse Wilson, Roy Wilson, James M. Wilson, Ed Wilson, Colatus Wilson, Burlah Wilson, Ethel Wilson and Mary Wilson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such

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action as may be taken by him.

Yours truly,

(SIGNED)

I. E. Needles.

Commissioner in Charge.

COPY.

M.C.R. 3948

Muskogee, Indian Territory, July 18, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Henry T. Love, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 18th, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Henry T. Love,	M.C.R. 3948
John H. Love, et al.,	" 3933
Will Love, et al.,	" 4296
Fannie Love,	" 4293
May Love,	" 4294
Bettie McConnell,	" 4298
Eeb Love,	" 4297
David A. Smith,	" 3945
Katie A. Patterson, et al.,	" 4519
Lulu T. Johnson, et al.,	" 4292
Pink Smith, et al.,	" 4298
Charles C. Brown, et al.,	" 3939
A. P. Brown, et al.,	" 3940
Juliett Pierce, et al.,	" 3943
Effie E. Perry, et al.,	" 3942
B. G. Brown,	" 3941
Fannie M. Coleman, et al.,	" 4063
Mabel Cobb, et al.,	" 4301
Hiram Coleman,	" 4302
Benjamin F. Love, et al.,	" 3938
Thomas J. Wilson, et al.,	" 3944
James H. Wilson, et al.,	" 3938

The Commission has the honor to report that the principal applicants in the several separate applications, their attorneys of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Through the
Commissioner of Indian Affairs.
1 enclosure.

J. D. Needles
Commissioner in Charge.

COPY.

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DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington, Sept. 25, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report dated July 18, 1902, from T. B. Needles, Esq., Commissioner in charge of the work of the Commission to the Five Civilized Tribes, forwarding for the Department's consideration the record relative to the consolidated case of Henry T. Love, et al., applicants for identification as Mississippi Choctaws claiming rights in the Choctaw lands under article fourteen of the treaty of 1830.

Benjamin F. Love applies for his nephew, Henry T. Love; John H. Love for himself and his minor child, Lewander Love; Will Love for himself and his two minor children, Henry and Roy Love; Fannie Love for herself; May Love for herself; Bettie McConnell for herself; Zeb Love for himself; David A. Smith for Himself; Katie A. Patterson for herself and her two minor children, Annie and James E. Patterson; Lulu T. Johnson for herself and her minor child Leroy Johnson; David B. Smith for his six minor children, Pink, Erna, Verna, Lucy T., Clyde and Sarah Smith; Charles C. Brown

for himself and his three minor children, Mattie P., Albert S. and Charles T. Brown; A. P. Brown for himself and his four minor children, Hattie, Myrtle, Ranie and Louise Brown; Juliett Pierce for herself and her six minor children, Robert A., Sarah E., Lucy M., James T., Louis G. and Joseph A. Pierce; Effie E. Perry for herself and her two minor children, Bob and Birdie Perry; B. G. Brown for himself; by Fannie E. Coleman for herself and her four minor Children, Kate, Preston, Annie and Arlie Coleman; Mabel Cobb for herself and her two minor children, Guy and Ray Cobb; Hiram Coleman for himself; Benjamin F. Love for himself and his two minor children, Benjamin F. Jr. and Mathew L. Love; Thomas J. Wilson for himself and his three minor children, Mamie, Jesse and Roy Wilson; and James H. Wilson for himself and his five minor children, Ed, Colatus, Burlah, Ethel and Mary Wilson.

July 18, 1902, the Commission held that the parties above named were not entitled to identification as Mississippi Choctaws.

Part of the applicants to this consolidated case attempt to trace descent from Thomas J. Love, grandfather of principal applicant Henry T. Love. The minor children of Charles C. Brown claim under said ancestor and also under Albert Gresham.

Albert Gresham was the father of Mattie P. Brown mother of said minor children. John Love was the father of Henry T. Love.

The records of the office relating to Mississippi Choctaws do not show that any one by the name of Love or Gresham complied or attempted to comply with the provisions of the fourteenth

article of the treaty of 1830, or that they or either of them applied to the commissions appointed under the acts of March 3, 1837, and August 23, 1842, for an adjudication of their rights, if any they had.

This being true, the decision of the Commission refusing to identify the applicants should be affirmed, and the office so recommends.

Very respectfully,
Your obedient servant,

W. A. JONES,

Commissioner.

G.A.W(S)

COPY.

D.C. 17321-1902.

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HAF.

DEPARTMENT OF THE INTERIOR,
Washington.

ITD. 5930-1902.
L. R. S.

October 1, 1902.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

July 18, 1902, you transmitted the consolidated case involving the applications for identification as Mississippi Choctaws, of Benjamin F. Love for his nephew, Henry T. Love; of John H. Love and his minor child, Lewander Love; of Will Love and his minor children, Henry and Roy Love; of Fannie Love; of May Love; of Bettie McConnell; of Zeb Love; of David A. Smith; of Katie A. Patterson and her minor children, Annie and James E. Patterson; of Lulu T. Johnson and her minor child, Leroy Johnson; of David B. Smith and his minor children, Pink, Erna, Verna, Lucy T., Clyde and Sarah Smith; of Charles C. Brown and his minor children, Mattie P. Albert S. and Charles T. Brown; of A. P. Brown and his minor children, Hattie, Myrtle, Ranie and Louise Brown; of Juliett Pierce and her minor children, Robert A., Sarah E., Lucy M., James T., Louis G. and Joseph A. Pierce; of Effie E. Perry and her minor children, Bob and Birdie Perry; of E. G. Brown; of Fannie E. Coleman and her

minor children, Kate, Preston, Annie and Arlie Coleman; of Mabel Cobb and her minor children, Guy and Ray Cobb; of Hiram Coleman; of Benjamin F. Love and his minor children, Benjamin F. Jr., and Mathew L. Love; of Thomas J. Wilson and his minor children, Mamie, Jesse and Roy Wilson; of James H. Wilson and his minor children, Ed, Colatus, Burlah, Ethel and Mary Wilson.

✓ All the applicants attempt to trace their descent from one Thomas J. Love, alleged to have been a half blood Choctaw Indian residing in Mississippi in 1830; and the minor children of Charles C. Brown also attempt to trace their descent from Albert Gresham, alleged to have been a Choctaw Indian.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that either of said alleged ancestors, or a less remote ancestor of the applicants, or any of the applicants, complied or attempted to comply with article XIV of the treaty of September 37, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the applications July 18, 1902.

Forwarding the papers September 25, 1902, the Commissioner of Indian Affairs recommends approval of your decision.

A copy of his letter is inclosed.

Finding no reason to disturb your decision after a careful consideration of the whole record, it is hereby affirmed.

Respectfully,

THOS RYAN,

Acting Secretary.
DeL.

1 inclosure.

Consolidated Case
of Henry L. Love,
et al

REFER TO M. C. R. 3748

NAME OF MOTHER	FATHER'S OWNER	FATHER'S TRIBAL ENROLLMENT	YEAR	DISTRICT	NO.
----------------	----------------	----------------------------	------	----------	-----

N. FREEDMEN ROLL

Thomas J. Love, 1/2 dead
wife
Julia Love, W or 1/4, Dead

↑
Parents of
↓

John Love, Dead
wife
Susan Love, Dead

Henry T Love, 63, 1/2
wife
Jincy A Love, Dead

Lucy A Love, D. 1/8
married
Thomas Arden Brown W.L.

John H. Love, 39, 1/16
wife
Elizabeth Love, w.
Will Love, 32, 1/16
wife
Edna Love, w.
Fannie Love, 28, 1/16
May Love, 25, 1/16
Bettie Love, 23, 1/16
married
Simo McConnell, w.
Zeb Love, 21, 1/16

Lewander Love, 15
Henry Love, 8
" Roy Love, 4

Sarah Brown, Dead
married
David B. Smith, w. L.

David A. Smith, 22
Katie A. Smith, 20
married
T. A. Patterson, w.
Lula T. Smith, 18
married
R. L. Johnson, w.
Pink Smith, 17
Erna Smith, 13
Verna Smith, 13
Luz T. Smith, 11
Clyde Smith, 6
Sarah Smith, 6

Annie Patterson, 20 mos
" James E. Pattersons 6 wks.
Leroy Johnson, 9 mos.

Charles C. Brown, 1/16, 41
wife
* Annie Brown, 1/16, Dead
* Sallie Brown, w. Living
* Father - Albert Graham
Mother - Sarah Graham
A. P. Brown, 39, 1/16
wife
Ada A. Brown, w.

Mathie P. Brown, 1/16, 16
" Albert S. Brown, 1/16, 14
" Charles T. Brown, 1/16, 11
Mathie Brown, 12
" Myrtle Brown, 8
" Ranie Brown, 6
" Louise Brown, 4

Thomas J. Love, 1/2 dead
wife
Julia Love, w/o 1/4, dead

John Love, dead
wife
Susan Love, dead

Benjamin F. Love, 57, 1/4
wife
Sarah F. Love, w.

Julia Love, dead
married
Colatus Wilson, dead

Lucy A. Love, D, 1/8
married
Thomas Arden Brown, l. w.

Fannie E. Love, 48
married
David N. Coleman

Benjamin F. Love, Jr 15
Mathew L. Love, 8

Thomas J. Wilson, 43 1/8
wife
Jane Wilson w.

James H. Wilson, 42 1/8
wife
Ella Wilson, w.

meR
394
Juliett Brown, 36, 1/16
married
James T. Pierce, w.

meR
394
Effie E. Brown, 31, 1/16
married
A. L. Perry, w.

meR
394
B. G. Brown, 22, 1/16

meR
394
Mabel Coleman, 23, 1/16
married
James Cobb, w.
Hiram Coleman, 22
meR
394
Kate Coleman, 16
Preston Coleman, 14
Annie Coleman, 11
Arlie Coleman, 6

meR
394
Mamie Wilson, 17
Jesse Wilson, 15
Roy Wilson, 11

meR
394
Ed Wilson, 19
Colatus Wilson, 17
Burlah Wilson, 15
Ethel Wilson, 14
Mary Wilson, 12

meR
394
Robert A. Pierce, 13,
Sarah E. Pierce, 11,
Lucy M. Pierce, 9
James T. Pierce, 7
Louis G. Pierce, 4
Joseph A. Pierce, 1
meR
394
Bob Perry, 7
Birdie Perry, 3

meR
394
Guy Cobb, 21
Ray Cobb, 10 m

No. 394

For Identification as a Mississippi Choctaw.

Date

NOV 2 1901

Name *Kenny T. Love, by Benjamin T. Love*
Age *63* - Blood *1/4* -

Post Office, *Richmond, Ark*

Father: *John Love, d*
Mother: *(SUSAN) Susan, d*

Claims through *father -*
wife *Jincy A. Love, (d) w*

~~XXXXX~~

Claims only for
Kenny T. Love -

Stenographer

H. G. Harris.

Choctaw MCR 3949

Minnie Hesser

See MCR 4895

MCR 3949

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3949

In the matter of the application of Minnie Hesser for identification as a Mississippi Choctaw.

J.E. Arnold for applicant; no appearance by attorney.

Minnie Hesser being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Minnie Hesser.
Q What is your age? A Fifteen.
Q Are you married? A Yes sir.
Q What is your post office address? A Heward, Louisiana.
Q Where were you born? A I don't know sir.
Q How long have you lived at Heward? A About eight years.
Q You don't know where you were born? A No sir.
Q Where did you live before you lived in Heward? A I don't remember the place.
Q You have always lived in Louisiana? A Yes sir.
Q What is your father's name? A Philip Flores: (spelling it out).
Q Living? A No sir; he is dead.
Q What is your mother's name? A Emma Allen.
Q Has she married since? A Yes sir.
Q That's her present name? A Yes sir.
Q Is she living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A About a sixteenth.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities? A I don't know.
Q When and where were your father and mother married? A I don't know.
Q Were they married by a minister and under a license? A By a magistrate I believe.
Q You don't know when? A No sir.
Q Somewhere in Louisiana? A Yes sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Mare Hesser. (spelling it out.)
Q Is he a white man? A Yes sir.
Q What was he a Frenchman? A I don't know what his blood was.
Q Have you any children? A No sir.
Q You make application for yourself alone? A Yes sir.

Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't know sir.

Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.

Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Have you ever prior to this time made application for citizenship in the Choctaw Nation to either the Choctaw tribal authorities or the United States authorities? A No sir.

Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw claiming under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A Yes sir.

Q Have you heard it read and explained a number of times? A Yes sir.

Q Do you want me to read it again? A Yes sir.

Q Do you want it explained to you again? A I understand it.

Q You waive the explanation of it, do you? A Yes sir.

Q Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Now, as you understand that from having had it read and explained to you do you know whether any of your Choctaw ancestors complied with any of the provisions of article fourteen of that treaty- do you know whether they did any of these things? A I don't know.

Q What was the name of your ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A ----

Q What's the name of the one you claim through now? A Nan-ta-wah.

Q What relation to you? A Great-grandmother.

Q Did she have an English name? A I don't know.

Q What was that name you gave? A Nan-ta-wah?

Q What relation was this to you? A Great grandmother.

Q How much Choctaw blood did Nan-ta-wah have? A I don't know.

Q Never heard? A No sir.

Q Is this the Indian name of your great-grandmother? A I don't know.

Q Where did you get that name? Who told you that name? A Well, all my relations told me that name.

Q You claim through your father? A Yes sir.

Q Your father is dead? A Yes sir.

Q When did he die? A I don't recollect the day of the month he has been dead about six years.

Q Where did he die? A In Howard, Louisiana.

Q Six years ago? A Yes sir.

Q How old was he when he died? A Forty.

Q Did he ever tell you about Nan-ta-wah? A I don't know; I don't recollect.

Q He claimed his Choctaw blood through which parent, father or mother? A Mother.

Q What was her name? A His mother's name was Silliway Roblo; (Robleau or Roblo.)

Q How old would she be if living now, do you know? A No sir.

Q How much Choctaw blood did she have? A I don't know.

Q How much Choctaw blood did your father, Philip Flores have? A About an eighth.

Q Now, did you know Silliway Roblo? A No sir.

Q Who ever told you that your father had Choctaw blood? A Well, I always heard my father say so.

Q Your own father? A Yes sir.

Q But he didn't tell you about Nan-ta-wah having that name? A No sir.

Q Never told you about being descended from Nan-ta-wah? A No sir.

Q Did Silliway Roblo claim to be descended from Nan-ta-wah? A I don't know.

Q Who told you about that name? A My relations told me.

Q What relations? A My mother.

Q What did she tell you about that? A She said that was the relation through whom I claimed it.

Q But your father didn't? A No sir.

Q When did your mother tell you about that now? A I don't recollect.

Q How long ago? A I don't know.

Q Just a little while ago? A I don't know.

Q How did your mother know about the name of your great-grand-mother being Nan-ta-wah, do you know? A I don't know.

Q Did anybody else tell you about that name? A Yes; lots of my kin-folks.

Q What other kin folks? A Well, Oscar Flores.

Q Who was he? What relation to you? A He was a cousin of mine.

Q How old is he? A I don't know.

Q Man or boy? A He is a man.

Q Well, did Nan-ta-wah live in Mississippi or Alabama? A I don't know.

Q Don't know whether she ever lived in the old Choctaw Nation in Mississippi or Alabama? A No sir.

Q Do you know how old she would be if living now? A No sir.

Q Did she speak the Choctaw language? A I don't know.

Q Don't know if she had an English name? A I don't know.

Q Was she a recognized member of the Choctaw tribe of Indians in 1830? A I don't know.

Q Do you know whether she or any of her descendants ever lived in Mississippi, in 1830? A I don't know.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.

Q Did any of them go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there? A I don't know.

Q Did any of your Choctaw ancestors go from the old Choctaw nation in Mississippi and Alabama to the new Choctaw Nation, Indian Territory, between 1833 to 1838? A I don't know.

Q Did any of your Choctaw ancestors ever receive or claim any land under article fourteen of the treaty of 1830? A I don't know.

Q Did any of your Choctaw ancestors ever claim or receive any land or any benefits whatever under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of Dancing Rabbit Creek was ratified February 24, 1831, and in that treaty article fourteen provided that all Indians who stayed back there in Mississippi should go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him they wanted to stay in Mississippi and take land there. This agent was required to put their names down on a list called Ward's Register; he put a few names on that list of those who came before him, but most of the Indians who came before him found that their names were not put down on any list made by Col. Ward, the United States Indian agent. And the result of this neglect to do so caused many Indians to lose their land and improvement upon it; it was sold by the Government at Public Land Sale. A great many complaints were made on account of this to the authorities so that in 1837 Congress appointed a Commission and this Commission went to the State of Mississippi and heard all claimants who desired to come before it and claim rights under article fourteen. In 1842 Congress appointed another Commission for the same purpose.

Q Did any of your Choctaw ancestors appear before either the Commission of 1837 or that of 1842 and claim benefits under that article of that treaty? A I don't know.

Q Do you know whether Nan-ta-wah did? A I don't know.

Q You don't know whether she lived in Mississippi in 1830 and was head of a family at that time? A Don't know.

Q Did she or any of your Choctaw ancestors receive any scrip from the Government as Choctaw Indians which empowered her or them to select land either in Mississippi, Alabama, Louisiana or Arkansas? A I don't know.

Q Never heard that? A No sir.

Q Have you any documentary evidence that you want to present now in support of this application? A Yes sir.

Q You haven't any papers here now with you? A No sir.

Q Do you want time? A Yes sir.

Reasonable time will be allowed this applicant in which to present documentary evidence or proper evidence in support of this application which she makes for herself for identification as a Mississippi Choctaw.

Q You have some relatives who appeared before the Commission for identification as Mississippi Choctaws, haven't you? A Yes sir.

Q Do they all claim through Nan-ta-wah? A Yes sir.

Q Name them? A J.O. Flores; Mary R. Roach, Sylvester Rabin, Della Rabin, and my mother, Emma Allen.

Q Any others? A I can't think of any more.

Q There is more? A Yes sir.

- Q These people are all related to you? A Yes sir.
Q And claim through the same common ancestor? A Yes sir.
Q Do you want their testimony to be considered with yours in order that you may get the benefit of what they have testified to? A Yes.
Q Do you speak or understand the Choctaw language? A No sir.
Q Do you speak French? A No sir.
Q You have French blood? A I don't know.

Applicant has the appearance and physical characteristics of being descended from white parentage except she has dark complexion black eyes black hair; she has the appearance of having French blood but says she don't know; she claims Indian blood. She does not understand Choctaw and has no knowledge of the compliance on the part of her ancestors with the provisions of the fourteenth article of the treaty of 1830.

-s-o-o-o-o-o-o-o-o-

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 3rd day of December, 1901.

Clara Mitchell Wood
Notary Public.

COPY.

Muskogee, Indian Territory, September 2, 1902.

Minnie Hesser,

Neward, Louisiana.

Dear Madam:

You are hereby advised that on the 2nd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rosalia Wallette, et al., embracing the following applications for identification as Mississippi Choctaws:

Rosalia Wallette,	M C R 4895
Relia Laurent, et al.,	" 4896
Angele Laurent,	" 4898
Olevia Wallette, et al.,	" 4897
John B. Wallette, et al.,	" 4478
Louis L. Wallette, et al.,	" 4329
Joe Clanton, et al.,	" 3101
Mere Flores, et al.,	" 3467
Mary R. Reach, et al.,	" 3098
John Brashier, et al.,	" 2887
Joseph O. Flores, et al.,	" 2886
Joe D. Laffitte,	" 3100
Leon Laffitte,	" 3102
Napoleon Laffitte,	" 3097
Sam Laffitte,	" 3099
A. Dubas, et al.,	" 3103
Minnie Hesser,	" 3949
James Flores, et al.,	" 3714
Sylvester Rambin, et al.,	" 3712
Joseph L. Rambin, et al.,	" 3951
Della Rambin, et al.,	" 3931
Carrie L. Rambin, et al.,	" 3953
Clara Legrand, et al.,	" 3713
Bonay Rambin, et al.,	" 3952
Edmund Perier, et al.,	" 2239
Sterling Perier,	" 2244

H H-2.

Blumetta Deaton, et al.,	H C R 2392
Bob Dupre, et al.,	" 2241
Len Dupre,	" 2243
Edward L. Grumbles, et al.,	" 2240
Annie Flores, et al.,	" 2950
Charley B. McCause, et al.,	" 2242

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stat., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rosalia Waillette, Zelia Laurent, Jonee Olivie Laurent, Alex is Laurent, Frank Laurent, Steve Laurent, William Bernard Laurent, Ivan Lee Laurent, Sam Clyde Laurent, Preston Laurent, John Wilma Laurent, Sydney Laurent, Angele Laurent, Olevia Waillette, Earnest Waillette, Edwin Waillette, Leo Waillette, Eva Waillette, John B. Waillette, Gertrude Waillette, Eugenia Waillette, John Steven Waillette, Louis L. Waillette, Lambert Waillette, Joe Clanton, Dan Clanton, Mero Flores, Angela Flores, Mary E. Roach, Robert Roach, Willie Roach, John Brashier, Jones Brashier, Oscar Brashier, Louis Brashier, Joseph O. Flores, Elean Flores, Ben Flores, Oscar Flores, Mary Flores, Clayton Flores, Joe D. Laffitte, Leon Laffitte, Napoleon Laffitte, Sam Laffitte, A. Dubaz, Joe Dubaz, John Dubaz, Napoleon Dubaz, Minnie Hesser, James Flores, William Flores, Walter Flores, Lavinia Flores, May Flores, Sylvester Rambin, Sydney Rambin, Samuel Rambin, Mattie Rambin, Pearl Rambin, Birdie Rambin, Zada Rambin, Joseph L. Rambin, Mary Z. Rambin, Della Rambin, Joseph Arnold Rambin, Carrie L. Rambin, Myrtle L. Rambin, Lawrence L. Rambin, Clara Legrand, Andrew Augustin Legrand, Joseph Napoleon Legrand, Mary E. Legrand, Joseph W. Legrand, George M. Legrand, Emma Lucy Legrand, John A. Legrand, Mary Celeste Legrand, Boney Rambin, Joseph O. Rambin, Arthur Rambin, Lula Rambin, Joseph McQ Rambin, Johnnie Rambin, Edmund Perier, Winnie Perier, Annie Bell Perier, Sterling

M H-36.

2

Porier, Blunetta Deaton, Eddie Lee Deaton, Bob Dupre, Robert Dupre, Elijah Dupre, Vessie D. Deaton, Lula Dupre, Clipper Dupre, Beatrice Dupre, Lem Dupre, Edward L. Grumbles, Leonard Grumbles, John Grumbles, Robert Grumbles, Mary Grumbles, Ed Grumbles, Dan Grumbles, Willie Grumbles, Bogus Grumbles, Annie Flores, William Flores, Lillie M. Flores, Philip Flores, Hartwell Flores, Charley B. McCause, Fletcher D. McCause, Minnie B. McCause, Katie V. McCause, Eddie McCause, Mabel McCause, Pearl McCause and Birdie McCause, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James G. Smith

Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory, February 25, 1903.

Minnie Hesser,

Howard, Louisiana.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Roselia Wallette, et al., of which decision you were advised by registered mail on the 2nd day of September, 1902.

Respectfully,

James Bixby.

Chairman.

M.C.R. 3949.

COPY

Muskogee, Indian Territory, November 12, 1906.

Minnie Hesser,

Howard, Louisiana.

Dear Madam:

You are hereby notified that the Secretary of the Interior on October 30, 1906, denied the request of E. L. Grumble of Pauls Valley, Indian Territory, of June 20, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Rozelia Waillette, et al.

Respectfully,

SIGNED *Tamie M. Gandy*
Commissioner.

MUR- 3949

Muskogee, Indian Territory, March 2, 1907.

Minnie Hesser,

Howard, Louisiana.

Dear Madam:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied a motion, filed by Patchell & Henderson, attorneys at law, Pauls Valley, Indian Territory, for a reconsideration of Departmental action of October 30, 1906, denying a request filed by E. L. Grumble June 22, 1906, for a rehearing in the consolidated Mississippi Cheetaw case of Roselia Vallette et al.

Respectfully,

Commissioner.

No. 3949

For Identification as a Mississippi Choctaw.

Date

NOV 2 1901

Name Minnie Hesser,

Age 15- Blood 1/16

Post Office, Howard, La.

Father: Philip Flores, d

Mother: Emma Allen, l

Claims through father —
husband Maro Hesser, w.
(No claim for husband)

~~Children:~~

Claims for self
alone

Stenographer

H. G. Havis.

Choctaw MCR 3950

Annie Flores

See MCR 4895

MCR 3950

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3990

In the matter of the application of Mary Flores for the identification of her five minor children, Annie, William, Lillie M., Philip and Hartwell Flores, for identification as Mississippi Choctaws. (The first two are step-children of the applicant.)

Applicant is represented by J.E. Arnold.

Mary Flores being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mary Flores.
Q What is your age? A Thirty years.
Q What is your post office address? A Howard, Louisiana.
Q What is your blood? A Spanish.
Q You don't make any claim for yourself, then? A No sir; not a bit.
Q How long have you lived at Howard? A Thirteen years.
Q Do you make application for any minor children? A Yes sir.
Q What is the name of the eldest child unmarried? A Annie Flores.
Q How old is she? A Seventeen.
Q What is her father's name? A Mitchell Flores.
Q What is her mother's name? A Lucinda Flores.
Q You are not the mother? A No sir.
Q Have you any other minor children that you are not the mother of? A There's two.
Q What is the name of the next child? A William Flores.
Q How old is he? A Fifteen.
Q Now, Mitchell Flores is the father of these two children? A Yes.
Q Is he dead? A Yes sir.
Q What is the name of the mother of these two children? A Lucinda.
Q Is she dead? A Yes sir.
Q Mitchell Flores after he married Lucinda, married you? A Yes sir.
Q These two children are children of your deceased husband and his first wife, Lucinda? A Yes sir.
Q Lucinda, was she a white woman? A Yes sir.
Q Have you any other children that you want to make application for? A Three of my own, and-
Q And by Mitchell Flores? A Yes sir.
Q What is the name of the eldest? A Lillie M. Flores.
Q How old is she? A Eleven years old.
Q Next? A Eight; Philip Flores.
Q And the next? A Hartwell Flores; five years old.
Q Is that all? A Yes sir.

Q These three children are your children, and Mitchell Flores was their father? A Yes sir.

Q You now make application for these five children do you? A Yes sir.

Q Are these children all living at Howard, Louisiana? A Yes sir.

Q At your home? A Yes sir.

Q Are you taking care of them? A Yes sir.

Q When was your husband, Mitchell Flores, married to his first wife Lucinda? Do you know? A I don't know.

Q You don't know when or where? A They were married in DeSoto Parish, Louisiana.

Q By a minister and under a license? A Yes sir.

Q Do you know when Lucinda died? A No.

Q Do you know how long she had been dead before you married Mitchell Flores? A Two years.

Q When did you marry him? A I don't know; its been thirteen years ago.

Q She has been dead fifteen years, then, so, has she? A Yes sir.

Q Do you know whether your husband's parents have ever been recognized in any way or enrolled as members of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.

Q Do you know whether your husband, Mitchell Flores, was ever recognized in any way or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.

Q You claim Choctaw blood for these children of your husband by his first wife, through him entirely? A Yes sir.

Q And also Choctaw blood for your own children, Lille M., Philip and Hartwell, through your husband, Mitchell Flores? A Yes sir.

Q When and where were you married to him? A Thirteen years ago at Sabine Parish, Louisiana.

Q Do you remember the day of the month? A No sir.

Q Were you married to him by a minister under a license? A Yes sir.

Q Can you produce the marriage license of your husband with his first wife, Lucinda, and also your own marriage license with Mitchell Flores? A Yes sir.

Q Reasonable time will be allowed you to do so. What is the name of the father of Mitchell Flores? A Foster Flores. Dead.

Q Is he dead? A Yes sir.

Q What is the name of the mother of Mitchell Flores? A I don't know her given name; she was a Roble; (or Robleau.)

Q That was her maiden name wasn't it? A Yes sir.

Q Is she dead? A Yes sir.

Q Do you know whether the names of any of these children are to be found on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.

Q How much Choctaw blood do you claim for these children? A ----

Q The father, you say, was an eighth Choctaw? A A sixteenth for the children.

Q Did any one ever make application to the Choctaw tribal authorities for any of these children for enrollment in the Choctaw Nation? A No sir.

Q -for citizenship in the Choctaw Nation? A No sir.

Q Did any one ever make application for these children for citizenship in the Choctaw Nation to the Dawes Commission under Act of Congress of June 10, 1896? A No sir.

Q Have these children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court Indian Territory? A No sir.

Q Is this the first application that has ever been made for citizenship or membership in the Choctaw nation for them either to the Choctaw tribal authorities or the United States authorities in-?

A Yes sir.

Q Do you now come before this Commission as the mother of the last three children, Lillie M., Philip and Hartwell Flores, and in behalf of Annie and William Flores, the children of your husband, Mitchell Flores, by his first wife, Lucinda, in order that they may be identified as Mississippi Choctaws under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A Yes sir.

Q You have heard it read and explained a number of times? A Yes sir.

Q Do you want it explained again? A No sir.

Q You waive the explanation? A Yes sir.

Q Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Now, do you know whether any of the ancestors of these children claiming through their father, Mitchell Flores, ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830? A No sir; I don't know.

Q What was the name of their ancestor- whom you claim for all these five children? A Nan-ta-wah.

Q What relation was she to these children? A I don't know.

Q Well, can you tell what relation, going back? (No answer.)

Q What relation was Nan-ta-wah to your husband, Mitchell Flores?

A Great grandmother.

Q And the great-great-grandmother of these children? A Yes sir.

Q How much Choctaw blood did Nan-ta-wah have? A I don't know.

Q Did she have an English name? A No.

Q Was that her Choctaw name? A Yes.

Q Have you always heard that these children had descended from Nan-ta-wah? A Yes sir.

Q Heard that in your husband's family? A Yes sir.

Q Did you ever hear your husband say he had Choctaw blood? A Yes sir.

Q Did he claim through his father or mother? A Mother.

Q What was her name? A I don't know her given name; she was a Roblo (or Robleau.)

Q And she claimed through her-? A Her mother.

Q And what was her name? A I don't know.

Q How do you know he claimed through his mother, Roblo? A I have heard him say so.

Q And heard that name Roblo? A Yes sir.

Q Did Nan-ta-wah live in Mississippi in her life time? A Yes sir.

- Q Did she die there? A I don't know.
Q Was she born there? A I don't know.
Q Did you hear when or where she died? A No sir.
Q Do you know whether she claimed through her father or mother?
A Through her mother.
Q Did you hear nan-ta-wah's mother's name? A No sir.
Q Did anybody, the descendants of nan-ta-wah except she live in Mississippi? A I never heard.
Q Where did your husband die? A In Red River, Louisiana.
Q When did he die? A Two years ago.
Q Died in 1899? A Yes sir.
Q Do you remember the day of the month? A 18th August.
Q How old was he when he died? A Forty three.
Q Do you know where he was born? A Yes sir.
Q Where? A DeSoto Parish, Louisiana.
Q And was forty three when he died; do you know when and where his mother was born? A No sir.
Q Or where or when she died? A No sir.
Q Or whether she lived in Mississippi? A I don't know.
Q Did any of the Choctaw ancestors of your husband, Mitchell Flores through whom these children claim their right to be identified as Mississippi Choctaws own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
Q Did any of the Choctaw ancestors of these children you are now claiming for through Mitchell Flores go to the United States Indian Agent, Col. Ward, and tell him that they wanted to stay in Mississippi and become citizens of the States? A No sir.
Q Did any of them go from the old Choctaw Nation to the new Choctaw Nation with the other Indians between 1833 to 1838? A I don't know.
Q Did any of the Choctaw ancestors of these children claiming through Mitchell Flores own or claim any land in Mississippi in 1830 under article fourteen of the treaty of 1830? A I don't know.
Q Did any of their ancestors claim any land or own any or any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.
Q Did you ever hear that any of the Choctaw ancestors of these children who claim through your husband, Mitchell Flores, ever went before the Commission appointed by Act of Congress approved March 3, 1837 or before the Commission appointed by Act of Congress approved August 23, 1842, which Commissions were appointed by Congress in these two years for the purpose of hearing claimants under article fourteen of the treaty of 1830 and made claim before them to benefits under article fourteen of the treaty of Dancing Rabbit Creek? A I never heard.
Q Did you ever hear that any of your Children's Choctaw ancestors went to the United States Indian agent, Col. Ward, within six months after the ratification of the treaty of 1830 and claimed benefits under article fourteen? A No sir.
Q And did you hear, that, having done so, they failed to have their names placed on Ward's Register and for that reason went before the Commission of 1842 and 1837? A Never heard.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian went before the Commission of 1842 and proved his right to receive land and benefits under article fourteen of the treaty of Dancing Rabbit Creek-, if at the same time it also appeared that they had previously had their land taken from them by

the Government that they should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be issued; these certificates were called scrip.

Q Do you know whether any of the ancestors of these children received any such scrip from the Government as Choctaw Indians?

A No sir.

Q Have you any papers-? A No sir.

Q Do you want time to introduce evidence? A Yes sir.

Reasonable time will be allowed this applicant in which to introduce proper proof in support of this application she makes for these minor children.

Q You come before the Commission now as the mother and natural guardian of these children; do you? A Yes sir.

Q Can you describe how these children look? A Annie looked like a Choctaw Indian.

Q How? Was she dark or light? A All of them was dark; dark hair and dark eyes.

Q Skin dark or light? A Dark.

Q How about William? A Just about the same.

Q How about these three children? A They looked the same way; dark hair, eyes and complexion.

Q Were they darker than the other two children? A No sir. Well, all the others was just the same as I am.

Q And all the children appear very dark? A Yes sir.

Q (The description of the mother is taken of the appearance of these children in the absence of their personal appearance.) You come all the way from Louisiana to make application for these children? A Yes sir.

Q Now give me the names of all the relatives of these children who have come before the Commission for the purpose of being identified as Mississippi Choctaws and who claim through the same common ancestor, Nan-ta-wah. Can you remember the names? Some of them? A Minnie Hesser.

Q What relation was she to these children? A Second cousin.

Q Give the names of the others you can think of. A ----

Q J.O. Flores? A Yes sir.

Q Mary E. Roach? A Yes sir.

Q Sylvester Rabin? A Yes sir.

Q Della Rabin? A Yes sir.

Q Are there any others? A Yes; but I don't remember the names.

Q They claim through Nan-ta-wah do they? A Yes sir.

Q Do you want the testimony of these people who are relatives of these children and who have made application before the Commission considered with this at the same time in order that these children may get the benefit of what they have testified to? A Yes sir.

Q Do any of these children speak the Choctaw language? A No sir.

-e-e-e-o-o-o-o-o-o-o-o-o-o-

Henry G. Haine being duly sworn on his oath states that as stenographer to the Commission to the five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and cor-

rest transcript of his stenographic notes in said cause on said date.

Henry D. Laine

So described and sworn to before me this 3rd day of December, 1901.

Clara Mitchell Wood

Notary Public.

WALTON & J. T. WEAVER

Copy

Muskogee, Indian Territory, September 2, 1902.

Annie Flores,

Howard, Louisiana.

Dear Madam:

You are hereby advised that on the 2nd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Roselia Wallette, et al., embracing the following applications for identification as Mississippi Choctaws:

Roselia Wallette,	M C R 4895
Zelia Laurent, Et al.,	" 4896
Angele Laurent,	" 4897
Olevia Wallette, et al.,	" 4897
John B. Wallette, et al.,	" 4478
Louis L. Wallette, et al.,	" 4329
Joe Clanton, et al.,	" 3101
Mero Flores, et al.,	" 3467
Mary E. Roach, et al.,	" 3098
John Brashier, et al.,	" 2887
Joseph O. Flores, et al.,	" 2446
Joe D. Laffitte,	" 3100
Leon Laffitte,	" 3102
Napoleon Laffitte,	" 3097
Sam Laffitte,	" 3097
A. Dubas, et al.,	" 3103
Minnie Hesser,	" 3949
James Flores, et al.,	" 3714
Sylvester Rambin, et al.,	" 3912
Joseph L. Rambin, et al.,	" 3951
Della Rambin, et al.,	" 3931
Carrie L. Rambin, et al.,	" 3953
Clara Legrand, et al.,	" 3713
Honey Rambin, et al.,	" 3952
Edmund Porier, et al.,	" 2239
Sterling Porier,	" 2244

A P-2.

Blunetta Deaton, et al.,	M C R 2392
Bob Dupre, et al.,	" 2241
Len Dupre,	" 2243
Edward L. Grumbles, et al.,	" 2240
Annie Flores, et al.,	" 3950
Charley B. McCause, et al.,	" 2242

These applications were made under the provision of the act of Congress of June 28, 1896 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rozelia Waillette, Zelia Laurent, Jones Olive Laurent, Alexis Laurent, Frank Laurent, Steve Laurent, William Bernard Laurent, Ivan Lee Laurent, Sam Clyde Laurent, Preston Laurent, John Wilma Laurent, Sydney Laurent, Angele Laurent, Olevia Waillette, Earnest Waillette, Edwin Waillette, Leo Waillette, Eva Waillette, John B. Waillette, Gertrude Waillette, Eugenia Waillette, John Steven Waillette, Louis L. Waillette, Lambert Waillette, Joe Clanton, Dan Clanton, Mero Flores, Angela Flores, Mary E. Roach, Robert Roach, Willie Roach, John Brashier, Jones Brashier, Oscar Brashier, Louis Brashier, Joseph O. Flores, Sloan Flores, Ben Flores, Oscar Flores, Mary Flores, Clayton Flores, Joe D. Laffitte, Leon Laffitte, Napoleon Laffitte, Sam Laffitte, At Dubaz, Joe Dubaz, John Dubaz, Napoleon Dubaz, Minnie Hesser, James Flores, William Flores, Walter Flores, Lavinia Flores, May Flores, Sylvester Rambin, Sydney Rambin, Samuel Rambin, Mattie Rambin, Pearl Rambin, Birdie Rambin, Zada Rambin, Joseph L. Rambin, Mary Z. Rambin, Della Rambin, Joseph Arnold Rambin, Carrie L. Rambin, Myrtle L. Rambin, Lawrence L. Rambin, Clara Legrand, Andrew Augustin Legrand, Joseph Napoleon Legrand, Mary E. Legrand, Joseph W. Legrand, George M. Legrand, Emma Lucy Legrand, John A. Legrand, Mary Celeste Legrand, Soney Rambin, Joseph O. Rambin, Arthur Rambin, Lula Rambin, Joseph McQ. Rambin, Johnnie

A 7-3.

Rambin, Edmund Porier, Winnie Porier, Annie Bell Porier, Sterling Porier, Blunetta Deaton, Eddie Lee Deaton, Bob Dupre, Robert Dupre, Elijah Dupre, Vessie D. Dupre, Lula Dupre, Clipper Dupre, Beatrice Dupre, Lem Dupre, Edward L. Grumbles, Leonard Grumbles, John Grumbles, Robert Grumbles, Mary Grumbles, Ed Grumbles, Dan Grumbles, Willie Grumbles, Bagus Grumbles, Annie Flores, William Flores, Lillie M. Flores, Philip Flores, Hartwell Flores, Charley B. McCause, Fletcher D. McCause, Minnie B. McCause, Katie V. McCause, Eddie McCause, Mabel McCause, Pearl McCause and Birdie McCause, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James D. Smith
Acting Chairman.

Registered.

M.C.R. 3950.

COPY.

Muskogee, Indian Territory, February 25, 1903.

Annie Flores,

Howard, Louisiana.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rozelia Wallette, et al., of which decision you were advised by registered mail on the 2nd day of September, 1902.

Respectfully,

Chairman.

M.C.R. 3950.

COPY

Muskogee, Indian Territory, November 12, 1906.

Mary Flores,

Howard, Louisiana.

Dear Madam:

You are hereby notified that the Secretary of the Interior on October 30, 1906, denied the request of E. L. Grumble of Pauls Valley, Indian Territory, of June 20, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Rozelia Wallette, et al.

Respectfully,

Tams Bixby.
Commissioner.

MOR-3980

Muskogee, Indian Territory, March 2, 1907.

Mary Flores,
Howard, Louisiana.

Dear Madam:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied a motion, filed by Patchell & Henderson, attorneys at law, Pauls Valley, Indian Territory, for a reconsideration of Departmental action of October 30, 1906, denying a request filed by E. L. Grumble June 22, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Roselia Wallette et al.

Respectfully,

Commissioner.

For Identification as a Mississippi Choctaw.

Date NOV 2 1901

Name Mary Flores for her
minor children

Age 30 — Blood white

Post Office, Howard, La.
of Mitchell Flores

Father: Foster Flores, d

of Mitchell Flores, d
Mother: — Flores dClaims throughChildren: Annie Flores, 17 ¹¹/₁₆William " 15 ¹¹/₁₆

father

Mitchell Flores (d) ¹¹/₈ choe

mother

Lucinda " (d) white.

Lillie M. Flores, 11 ¹¹/₁₆Philip " 8 ¹¹/₁₆Hartwell " 5 ¹¹/₁₆Father: Mitchell Flores (d) ¹¹/₈ choe

Mother Mary " (L) Spanish

Applicant for the above
5 children

Stenographer H. G. Haines

Choctaw MCR 3951

Joseph L. Rambin

See MCR 4895

MCR 3951

✓

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 3, 1901.

3951

In the matter of the application of Joseph L. Rabin for the identification of himself and his wife, Mary Z. Rabin, as Mississippian Choctaws.

J.E. Arnold for applicant.

Joseph L. Rabin being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Joseph L. Rabin.
Q What is your age? A Twenty two.
Q What is your post office address? A Bayou La Lache, Louisiana.
Q Where were you born? A In Louisiana.
Q Where; what place? A Caddo Parish.
Q You have always lived there? A Yes sir.
Q What is your father's name? A Sylvester Rabin.
Q Is he living? A Yes sir.
Q What is your mother's name? A Sallie Rabin; (it was Proudhomme.)
Q Is she living? A No sir; dead.
Q You claim through which parent? A father.
Q How much Choctaw blood do you claim? A A sixteenth.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q When and where were your father and mother married? A DeSoto Parish, Louisiana.
Q By a minister and under a license? A Yes sir.
Q What date? A I don't know.
Q Can you produce the marriage license and certificate? A I think so.
Q Will you? A Yes sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Mary Z. Rabin.
Q What is her blood? A She is one sixteenth Choctaw blood.
Q You claim for her then do you? A Yes sir.
Q What is your wife's father's name? A Joe Rabin.
Q He was a cousin of yours, was he? A Yes sir.
Q Is he living? A No sir; dead.
Q How much Choctaw blood did he have? A An eighth.
Q And the mother's name? A Lizzie Rabin.
Q Is she dead? A No sir; living.

- Q Did she have any Choctaw blood? A No sir.
- Q She was white? A Yes sir.
- Q She claims through her father does she? A Yes sir.
- Q Has her father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A N---
- Q --in the Indian Territory? A No sir.
- Q Have you any children you want to make application for? A No sir
- Q Just claiming for yourself and wife? A Yes sir.
- Q When and where were you and your wife married? A In Caddo Parish Louisiana, on the 16th February, 1901.
- Q By a minister and under a license? A Yes sir.
- Q Have you that license and certificate with you? A Yes sir.
- Q You intend to file it with this case, do you? A Yes sir.
- Q Is your name or the name of your wife on any of the tribal rolls of the Choctaw nation in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself or wife to the Choctaw tribal authorities in the Indian Territory? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation for yourself or wife to the Dawes Commission under Act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation or has your wife by either the Choctaw tribal authorities or the United States authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
- Q Is this the first application ever made for you or by you or your wife either to the Choctaw tribal authorities or the United States authorities? A Yes sir.
- Q Do you now come before the Commission to identify yourself and wife as Mississippi Choctaws under article fourteen of the treaty of 1830? A Yes sir.
- Q Do you understand that article of that treaty? A Yes sir.
- Q Heard it read a number of times? A Yes sir.
- Q Do you want to hear it explained again? A No sir.
- Q You think you understand it thoroughly do you? A Yes sir.
- Q So that you can claim under it for yourself and wife. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."
- Q Do you know whether any of your ancestors or your wife's ancestors any of them ever complied or attempted to comply with those provisions of that article of that treaty? A No sir.
- Q What was the name of your ancestor through whom you claim the right to be identified as Mississippi Choctaws? A Noble.

- Q How about nan-ta-wah? A Oh, yes.
- Q What relation was this Roble to nan-ta-wah here? A I can't tell you.
- Q What relation was Nan-ta-wah to you? A Great great grandmother.
- Q Did she live in Mississippi or Alabama in 1830? A I can't tell you.
- Q Ever hear that she lived in Mississippi? A I can't tell you that.
- Q Did you ever hear that any of her descendants lived in Mississippi? A No sir.
- Q Do you know when and where she was born? A No sir.
- Q Don't you know whether she lived in the old Choctaw Nation in Mississippi or Alabama or not? A No sir.
- Q Did you hear that any of her descendants lived there? A No sir.
- Q Do you know if any of your Choctaw ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi or Alabama in 1830, recognized heads of families? A No sir.
- Q What is the name of the ancestor through whom you claim for your wife? A Joe Rambin.
- Q When did he die? A In '94.
- Q How old was he when he died? A I can't tell you.
- Q Don't you know how old he was? A No sir.
- Q Did he live in Mississippi in 1830? A I don't think he did.
- Q Did his father or mother live in Mississippi? A I can't tell you.
- Q Did any of his ancestors live in Mississippi in 1830? A --
- Q His father or mother? A I don't know.
- Q What was his mother's name? A Mary A. Roble.
- Q Did you ever hear she lived in Mississippi or Alabama? A No sir.
- Q How much Choctaw blood did she have? A I don't know.
- Q You married a relative, didn't you? A Yes sir.
- Q What relation is your wife to you? A Third cousin.
- Q Was Mary A. Roble the common ancestor of both you and your wife? A Yes sir.
- Q What relation was she to your wife? A Great grandmother.
- Q And to you? A My great aunt I suppose.
- Q When you go back to nan-ta-wah, do you go back to the same common ancestor for yourself and wife? A Yes sir.
- Q What ancestor to you-- what relation to you is Nan-ta-wah? A Great-great grandmother.
- Q What relation to your wife? A Great-grandmother; great great-grandmother.
- Q So that you both come down through the same common stock? A Yes.
- Q And whatever rights you have through Nan-ta-wah your wife has also? A Yes sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I can't say.
- Q Did they go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him they wanted to stay in Mississippi take land there and become citizens of the United States? A I don't know.
- Q Did any of them go from the old Choctaw Nation to this new Choctaw Nation with the other Indians between 1833 to 1838? A I can't tell you.
- Q Did any of your Choctaw ancestors or your wife's own or claim any land under article fourteen of the treaty? A I don't know.
- Q Did any of yours or your wife's ancestors claim or receive land or any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of 1830 was ratified on the 24th day of February, 1831, and article fourteen of that treaty provided that all Indians

who stayed back there in Mississippi after the treaty was made must go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi and take land there. A great many did this but Col. Ward the Indian agent neglected to put their names on his list called Ward's Register; there were a great many who made application whose names were not put on the list. This neglect on his part to put all the names on Ward's register caused a great many Indians to lose their land in Mississippi and Alabama and both land and improvements were taken from them and sold. This caused so many complaints that Congress in 1837 by Act of Congress of March 3, that ye ar appointed a Commission which went to Mississippi, heard all claimants who desired to come before it and made lists. In 1842 another Commission was appointed by Congress to go to Mississippi for the same purpose and they heard all claimants who desired to come before them, all claimants under article fourteen.

Q Did any of your ancestors or your wife's ancestors go before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of that treaty? A I don't know.

Q Is there anything more you want to say in support of this application? A No sir.

Q Did any of your ancestors or your wife's ancestors receive scrip from the Government which scrip was issued according to Act of that Commission of 1842? A I don't know.

Q Have you any documentary evidence you want to file now in support of this claim which you make for yourself and your wife? A Yes sir.

Q You want time to file it? A Yes sir.

Time will be allowed this applicant to do so; to file any proper proof in support of this application which he makes for himself and in behalf of his wife.

Q You claim through your wife's Ancestor; you both claim through Wan-ta-wah? A Yes sir.

Q What relation is Minnie Hesser to you? A I believe about fourth cousin.

Q What relation are Mary Flores and children to you? A I can't tell you.

Q Well, Mary Flores has applied for five minor children who claim through Mitchell Flores and wan-ta-wah back? A I don't know.

Q What is the name of some others? A Joe O. Flores; Mary E. Roach, Sylvester Rambin.

Q Any others? A I don't know.

Q Do you want the testimony of those who have appeared here for the purpose of claiming rights in the Choctaw lands in the Indian Territory through the same ancestor considered with yours in order? A Yes sir.

This applicant has the appearance and physical characteristics of being descended from white parentage, except that he has blue eyes, black hair, and black dark complexion.

Q Have you French blood? A I suppose.

Q Do you understand the Choctaw language? A No sir.

Q Your wife doesn't speak it? A No sir.

He does not understand the Choctaw language and has no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830. His wife, Mary Z. Hamlin, also appeared before the Commission on this date, and a personal description of her physical characteristics is, that; she has dark eyes, rather dark complexion, brown hair- looks as if she might have French blood, if not Indian, perhaps slight Indian blood. She has no knowledge of the Choctaw language and no knowledge of the compliance on the part of her ancestors with the provisions of the fourteenth article of the treaty of 1830.

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Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 3rd day of December, 1901.

Charles Mitchell Wood
Notary Public.

COPY

Muskegee, Indian Territory, September 2, 1902.

Joseph L. Rabin,

Bayou La Lache, Louisiana.

Dear Sir:

You are hereby advised that on the 2nd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Roxelia Wallette, et al., embracing the following applications for identification as Mississippi Choctaws:

Roxelia Wallette,	M C R 4898
Eolia Laurent, et al.,	" 4896
Angele Laurent,	" 4898
Olevia Wallette, et al.,	" 4897
John B. Wallette, et al.,	" 4478
Louis L. Wallette, et al.,	" 4329
Joe Clanton, et al.,	" 3101
Mere Flores, et al.,	" 3467
Mary E. Reach, et al.,	" 3098
John Brashier, et al.,	" 2887
Joseph O. Flores, et al.,	" 2886
Joe D. Laffitte,	" 3100
Leon Laffitte,	" 3102
Napoleon Laffitte,	" 3097
Sam Laffitte,	" 3099
A. Dubas, et al.,	" 3103
Minnie Hesser,	" 3949
James Flores, et al.,	" 3714
Sylvester Rabin, et al.,	" 3712
Joseph L. Rabin, et al.,	" 3951
Della Rabin, et al.,	" 3931
Carrie L. Rabin, et al.,	" 3953
Clara Legrand, et al.,	" 3713
Boney Rabin, et al.,	" 3952
Edmund Perier, et al.,	" 2239
Sterling Perier,	" 2244

J L R-2.

Blumetta Deaton, et al.,	M C R 2392
Bob Dupre, et al.,	" 2241
Len Dupre,	" 2243
Edward L. Grumbles, et al.,	" 2240
Annie Flores, et al.,	" 3926
Charley B. McCause, et al.,	" 2242

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Roselia Wallette, Zelia Laurent, Jones Olive Laurent, Alexis Laurent, Frank Laurent, Steve Laurent, William Bernard Laurent, Ivan Lee Laurant, Sam Clyde Laurent, Preston Laurent, John Wilma Laurent, Sydney Laurent, Angele Laurent, Olevia Wallette, Earnest Wallette, Edwin Wallette, Leo Wallette, Eva Wallette, John B. Wallette, Gertrude Wallette, Eugenia Wallette, John Steven Wallette, Louis L. Wallette, Lambert Wallette, Joe Clanton, Dan Clanton, Mera Flores, Angela Flores, Mary E. Roach, Robert Roach, Willie Roach, John Brashier, Jones Brashier, Oscar Brashier, Louis Brashier, Joseph O. Flores, Slean Flores, Ben Flores, Oscar Flores, Mary Flores, Clayton Flores, Joe D. Laffitte, Leon Laffitte, Napoleon Laffitte, Sam Laffitte, A. Dubas, Joe Dubas, John Dubas, Napoleon Dubas, Minnie Hesser, James Flores, William Flores, Walter Flores, Lavinia Flores, May Flores, Sylvester Rambin, Sydney Rambin, Samuel Rambin, Mattie Rambin, Pearl Rambin, Birdie Rambin, Eda Rambin, Joseph L. Rambin, Mary E. Rambin, Della Rambin, Joseph Arnold Rambin, Carrie L. Rambin, Myrtle L. Rambin, Lawrence L. Rambin, Clara Legrand, Andrew Augustin Legrand, Joseph Napoleon Legrand, Mary E. Legrand, Joseph V. Legrand, George M. Legrand, Anna Lucy Legrand, John A. Legrand, Mary Celeste Legrand, Boney Rambin, Joseph O. Rambin, Arthur Rambin, Lula Rambin, Joseph McQ. Rambin, Johnnie

Rambs, Edmund Perier, Vinnie Perier, Annie Ball Perier, Sterling Perier, Blunetta Denton, Eddie Lee Denton, Deb Dupre, Robert Dupre, Elijah Dupre, Vessie D. Dupre, Lula Dupre, Clipper Dupre, Beatrice Dupre, Len Dupre, Edward L. Grumbles, Leonard Grumbles, John Grumbles, Robert Grumbles, Mary Grumbles, Ed Grumbles, Dan Grumbles, Willie Grumbles, Dagus Grumbles, Annie Flores, William Flores, Lillie M. Flores, Philip Flores, Hartwell Flores, Charley B. McCause, Fletcher B. McCause, Minnie B. McCause, Katie V. McCause, Eddie McCause, Mabel McCause, Pearl McCause and Birdie McCause, as Choctaw Indians entitled to rights in the Choctaw lands under article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours, truly,

Acting Chairman.

Registered.

H.C.R. 3951

COPY.

Muskogee, Indian Territory, February 25, 1903.

Joseph L. Rabin,

Bayou Lachte, Louisiana.

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Roselia Vallette, et al., of which decision you were advised by registered mail on the 2nd day of September, 1902.

Respectfully,

Chairman.

M.C.R. 3951.

COPY

Muskogee, Indian Territory, November 12, 1906.

Joseph L. Rabin,

Bayou LaChute, Louisiana.

Dear Sir:

You are hereby notified that the Secretary of the Interior on October 30, 1906, denied the request of E. L. Grumble of Pauls Valley, Indian Territory, of June 20, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Rozelia Wallette, et al.

Respectfully,

SIGNED *Tam. Bixby.*
Commissioner.

MCR-3951.

Muskogee, Indian Territory, March 2, 1907.

Joseph L. Rambo,
Bayou LaChute, Louisiana.

Dear Sir:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied a motion, filed by Patchell & Henderson, attorneys at law, Pauls Valley, Indian Territory, for a reconsideration of Departmental action of October 30, 1906, denying a request filed by E. L. Grumble June 22, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Rozelia Wallette et al.

Respectfully,

Commissioner.

For Identification as a Mississippi Choctaw.

Date NOV 2 1901

Name Joseph L. Rambin.

Age 22 Blood 1/16

Post Office, Bayou la Chute, La

Father: Sylvester Rambin, d

Mother: Sallie " d

Claims through father.

wife

Mary Z. Rambin 1/16

Claims for wife

father

Joe Rambin (d) 1/8

Mother

Lizzie " (d) w

claims for self
and wife -

Stenographer

H. Q. Harris

Choctaw MCR 3952

Boney Rambin

See MCR 4895

MCR 3952

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 2, 1901.

3952

In the matter of the application of Boney Rambin for the identification of himself and his five minor children as Mississippi Choctaws.

J.E. Arnold for applicant:

Boney Rambin being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Boney Rambin; (applicant spells it.)
Q What is your age? A Thrtty eight. (38).
Q What is your post office address? A Bayou Lachute, Louisiana Caddo Parish.
Q Have you always lived there? A Yes sir.
Q What is your father's name? A Simon rambin
Q Is he dead? A Yes sir.
Q What is your mother's name? A Artimese Reble.
Q rambin now? A Yes; she was a Rambin when she was married.
Q Is she living or dead? A Dead.
Q Through which parent do you claim your Choctaw blood? A Mother; on my mother's side.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States in the Indian Territory? A No sir.
Q Have you proof of the marriage of your father and mother with you? A No sir.
Q Do you think you can prove their marriage if given time? A Yes sir.
Q Do you know when and where they were married? A In Desote Parish Louisiana but I don't remember the date.

Reasonable time will be given you to prove that.

- Q Are you married? A Yes sir.
Q What is your wife's name? A Mary T. Rambin.
Q Was she a white woman? A Yes sir; she is a white woman.
Q You make no claim for her? A No sir.
Q How many children have you? A I have five.
Q All under age and unmarried? A Yes sir.
Q What is the name of the eldest? A Joseph O. Rambin.
Q How old is he? A Sixteen.

Q Next? A Arthur Rambin.
Q How old? A Fourteen.
Q Next? A Lula Rambin.
Q How old? A Eight.
Q Next? A Joseph McQ. Rambin.
Q How old? A Three years.
Q Next? A Johnnie.
Q Boy? A Yes sir; three months.
Q You claim for yourself and these children? A Yes sir.
Q When and wher were you married to your wife, Mary T. Rambin?
A In Caddo Parish, Louisiana.
Q Do you remember the date? A Yes; in 1884 May 8th.
Q By a minister and under a license? A By a magistrate.
Q Have you the marriage license and certificate? A Yes sir.
Q Do you wish to file it now? A Yes sir.

Marriage certificate between Boney Rambin and Miss Tressie Proudherne presented by applicant, received filed marked Exhibit "A" and made a part of the record in this case.

Q Is your name or the name of your children on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation for yourself or children?
A No sir.
Q Did you ever make application to the Dawes Commission for citizenship in the Choctaw Nation for yourself and children under Act of Congress of June 10, 1896? A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
Q Is this the first application you have ever made for yourself and children either to the Choctaw tribal authorities or the United States authorities? A Yes sir.
Q Do you now seek to identify as Mississippi Choctaws yourself and children under article fourteen of the treaty of 1830? A Yes sir.
Q Do you understand that article of that treaty? A Yes sir.
Q You heard it read and explained a number of times? A Yes sir.
Q You think you understand it fully? A Yes sir.
Q You waive the explanation now? A Yes sir.
Q Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you know if any of your ancestors ever complied with the provisions of that article of that treaty A No sir.
- Q What is the name of your ancestor who was a Choctaw Indian through whom you claim for yourself and children? A Nan-ta-wah.
- Q What relation was she to you? A Great grandmother.
- Q How much Choctaw blood did she have? A I always heard she was full-blood.
- Q Do you know anything more than what you heard in the family? A No sir; that's all I know.
- Q Did she have a Choctaw name or speak the Choctaw language? A I don't know.
- Q Did she live in Mississippi or Alabama? A That's what I have been told.
- Q In the old Choctaw Nation there? A Yes sir.
- Q Did she live there in 1830 and have children there at that time? A Yes sir.
- Q Heard that in your family? A Yes sir.
- Q Who told you? A My father; my mother has been dead ever since I was living.
- Q How old would Nan-ta-wah be if living now? A I can't tell you.
- Q Very old? A Yes sir.
- Q Did you know of any of her descendants through whom you get Choctaw blood living in Mississippi or Alabama? A No sir.
- Q Did any of your Choctaw ancestors own any land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent they wanted to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors claim or receive rights under article fourteen of the treaty of 1830? A I don't know.
- Q Did any of your ancestors claim any rights/ privileges or benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.
- Q Did any of them go from the old Choctaw Nation to the new Choctaw Nation, Indian Territory, between 1833 to 1838? A I don't know.
- Q Can you give the name of any ancestor of yours who lived in Mississippi in 1830 and was a recognized member of the Choctaw tribe except Nan-ta-wah? A No sir; that's all.
- Q Are you sure she lived there in 1830? A Yes sir.

According to the provisions of article fourteen of the treaty of 1830 the United States Indian agent Col. Ward was instructed to make) (instructed by the Government) a list of the names of all Choctaws who stayed back in Mississippi and who went to the Indian agent there within six months after the ratification of the treaty and told him that they wanted to stay in Mississippi, take land there and become citizens of the States. He made a list which contains only a few of the total number of those who appeared before him, leaving off his list hundreds and hundreds of those who had a right to be there. This caused a good many complaints among the Indians and as a result Congress appointed in 1837 a Commission which went to Mississippi and heard all claimants who desired to be heard, claiming rights under article fourteen of the treaty of 1830. In 1842 another Commission was appointed by Congress and this Commission also went to Mississippi and heard all the claimants who desired to come before it, claiming rights under article fourteen of the treaty.

Q Did any of your ancestors appear before either of these Commissions claiming benefits under article fourteen of the Treaty of Dancing Rabbit Creek? A I don't know.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian came before the Commission of 1842 and proved his right under article fourteen, if it also appeared that he had previously had land which the Government had taken away from him, he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be issued to him; these certificates were called scrip.

Q Did any of your ancestors receive any such scrip? A I don't know.

Q Have you any documentary evidence except this last that you want to file? A That's all.

Reasonable time is allowed this applicant in which to file any documentary or proper proof in support of the application which he makes.

Q Do you speak the Choctaw language? A No sir.

Q Don't understand it? A No sir.

The following names persons relatives of yours claiming through the same common ancestor, Nan-ta-wah, have made application for identification as Mississippi Choctaws:

Winnie Hesser, 3949-- Joseph L. Rambin 3951-- Mary Flores 3950; ~~Benny Rambin 3952~~; JO. Flores, 3-- 2886; Mary E. Roach, 3096; Sylvester Rambin 3612; and Della Rambin.

Q These are all relatives of yours? A Yessir.

Q Do you want to have their testimony considered with yours so that you may get the benefit of what they have testified to? A Yes.

This applicant has the appearance and physical characteristics of being descended from white parentage; gray eyes, medium dark complexion, reddish brown mustache, brown hair. He has no knowledge of the compliance on the part of his ancestors with the provisions of the treaty of 1830; no knowledge of the Choctaw language.

-o-o-o-o-o-o-o-o-o-o-

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct trans-

cript of his stenographic notes in said case on said date.

Henry S. Hams

Subscribed and sworn to before me this 4th day of December, 1901.

Notary Public.

M C R 3902

COPY

Muskogee, Indian Territory, September 2, 1902.

Benny Hambin,

Bayou Lachute, Louisiana.

Dear Sir:

You are hereby advised that on the 2nd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rozelia Waillette, et al., embracing the following applications for identification as Mississippi Cheetaws:

Rozelia Waillette,	M C R 4895
Zelia Laurent, et al.,	" 4896
Angele Laurent,	" 4898
Olevia Waillette, et al.,	" 4897
John B. Waillette, et al.,	" 4478
Louis L. Waillette, et al.,	" 4329
Joe Clanton, et al.,	" 3101
Mero Flores, et al.,	" 3467
Mary E. Roach, et al.,	" 3098
John Brashier, et al.,	" 2887
Joseph O. Flores, et al.,	" 2886
Joe D. Laffitte,	" 3100
Leon Laffitte,	" 3102
Napoleon Laffitte,	" 3097
Sam Laffitte,	" 3099
A. Dubaz, et al.,	" 3103
Minnie Hesser,	" 3949
James Flores, et al.,	" 3714
Sylvester Hambin, et al.,	" 3712
Joseph L. Hambin, et al.,	" 3951
Della Hambin, et al.,	" 3931
Carrie L. Hambin, et al.,	" 3953
Clara Logrand, et al.,	" 3713
Benny Hambin, et al.,	" 3952
Edmund Forier, et al.,	" 2239
Sterling Forier,	" 2244

B R-2.

Blumetta Deaton, et al.,	M C R 2392
Bob Dupre, et al.,	" 2241
Len Dupre,	" 2843
Edward L. Grumbles, et al.,	" 2240
Annie Flores, et al.,	" 3950
Charley B. McCause, et al.,	" 2242

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stat., 496), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rosalia Wallette, Zelia Laurent, Jonce Olive Laurent, Alexis Laurent, Frank Laurent, Steve Laurent, William Bernard Laurent, Ivan Lee Laurent, Sam Clyde Laurent, Preston Laurent, John Wilma Laurent, Sydney Laurent, Angele Laurent, Olevia Wallette, Earnest Wallette, Edwin Wallette, Leo Wallette, Eva Wallette, John B. Wallette, Gertrude Wallette, Eugenia Wallette, John Steven Wallette, Louis L. Wallette, Lambert Wallette, Joe Clanton, Dan Clanton, Mero Flores, Angela Flores, Mary E. Roach, Robert Roach, Willie Roach, John Brashier, Jones Brashier, Oscar Brashier, Louis Brashier, Joseph O. Flores, Slean Flores, Ben Flores, Oscar Flores, Mary Flores, Clayton Flores, Joe D. Laffitte, Leon Laffitte, Napoleon Laffitte, Sam Laffitte, A. Dubas, Joe Dubas, John Dubas, Napoleon Dubas, Minnie Hesser, James Flores, William Flores, Walter Flores, Lavinia Flores, May Flores, Sylvester Ramin, Sydney Ramin, Samuel Ramin, Mattie Ramin, Pearl Ramin, Birdie Ramin, Zada Ramin, Joseph L. Ramin, Mary Z. Ramin, Della Ramin, Joseph Arnold Ramin, Carrie L. Ramin, Myrtle L. Ramin, Lawrence L. Ramin, Clara Legrand, Andrew Augustin Legrand, Joseph Napoleon Legrand, Mary E. Legrand, Joseph W. Legrand, George M. Legrand, Emma Lucy Legrand, John A. Legrand, Mary Celeste Legrand, Boney Ramin, Joseph O. Ramin, Arthur Ramin, Lula Ramin, Joseph McQ. Ramin, Johnnie

B R -3.

Rambis, Edmund Perier, Winnie Perier, Annie Bell Brier, Sterling Perier, Blumetta Deaton, Eddie Lee Deaton, Bob Dupre, Robert Dupre, Elijah Dupre, Vessie D. Dupre, Lula Dupre, Clipper Dupre, Beatrice Dupre, Lem Dupre, Edward L. Grumbles, Leonard Grumbles, John Grumbles, Robert Grumbles, Mary Grumbles, Ed Grumbles, Dan Grumbles, Willie Grumbles, Bagus Grumbles, Annie Flores, William Flores, Lillie M. Flores, Philip Flores, Hartwell Flores, Charley B. McCause, Fletcher D. McCause, Minnie B. McCause, Katie V. McCause, Eddie McCause, Mabel McCause, Pearl McCause, and Birdie McCause, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James D. Bixby

Acting Chairman.

Registered.

Muskogee, Indian Territory, February 25, 1903.

Boney Rambin,

Bayou, Lachute, Louisiana.

Dear Sir:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rozalia Wallette, et al., of which decision you were advised by registered mail on the 2nd day of September, 1902.

Respectfully,

J. H. ...
Chairman.

M.C.R. 3952.

COPY

Muskogee, Indian Territory, November 12, 1906.

Boney Rambin,

Bayou Lachute, Louisiana.

Dear Sir:

You are hereby notified that the Secretary of the Interior on October 30, 1906, denied the request of E. L. Grumble of Pauls Valley, Indian Territory, of June 20, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Rozelia Wallethe, et al.

Respectfully,

SIGNED *Wams Bixby.*
Commissioner.

MCR-3932.

Muskogee, Indian Territory, March 2, 1907.

Boney Rabin,

Bayou LaChute, Louisiana.

Dear Sir:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied a motion, filed by Patchell & Henderson, attorneys at law, Pauls Valley, Indian Territory, for a reconsideration of Departmental action of October 30, 1906, denying a request filed by E. L. Grumble June 22, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Rozelia Waillette et al.

Respectfully,

Commissioner.

No. 12345
For Identification as a Mississippi Choctaw.

Date

NOV 2 1901

Name *Benny Rambin*

Age *38*

Blood *1/8*

Post Office, *Bayou La Boute, La*

Father: *Simon Rambin d*

Mother: *Artimere " d*

Claims through *mother*
wife *Mary T. Rambin, w.*

No claim for wife

Children:

Joseph O. Rambin 16

Arthur " 14

Lula " 8

Joseph M. C. 2 " 3

Johnnie " (boy) 3 mo

Claims for self &
children

Stenographer *H. G. Harris*

Choctaw MCR 3953

Carrie L. Rambin

See MCR 4895

MCR 3953

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 3, 1901.

3953

In the matter of the application of Mitchell L. Rabin for the identification of his three minor children, Carrie L., Myrtle L. and Lawrence L. Rabin, as Mississippi Choctaws.

Applicant is represented by J.E. Arnold.

Mitchell L. Rabin being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mitchell L. Rabin.
Q M-i-t-c-h-e-l-l? A Yes sir.
Q What is your age? A Thirty seven.
Q You are a white man? A Supposed to be.
Q You make no claim for Choctaw blood? A No sir.
Q What is your post office address? A Bayou LaChute, Louisiana.
Q How long have you lived there? A Been born and raised there.
Q And these children you are making application for, have they always lived there? A Yes sir.
Q What is the name of the oldest child-? A Carrie L. Rabin.
Q How old is Carrie? A Eleven.
Q Next? A Myrtle L. Rabin.
Q How old? A Seven.
Q Next? A Lawrence L. Rabin.
Q How old? A He is five.
Q Is that all? A Yes sir.
Q Are you the father of these three children? A Yes sir.
Q What is the name of the mother of these children? A Selliner Rabin.
Q S-e-l-l-i-n-e-r? A Yes sir.
Q The children claim their Choctaw blood through their mother?
A Yes sir.
Q How much Choctaw blood do you claim for these children? A About a thirty second, I suppose.
Q Your wife then, had a sixteenth? A Yes sir.
Q Is your wife dead? A Yes sir.
Q She died when? A In '98.
Q What day of the month? A The 4th day of August, 1898.
Q Where was she buried? A In DeSoto Parish.
Q You are the father of these children? A Yes sir.

Q When and where were you married to your wife? A DeSoto Parish. The 21st. day of November, 1889.

Q By a minister and under a license? A By Justice of the Peace.

Q Have you the marriage license and certificate with you? A Yes sir.

Q You intend to present it now? A Yes sir.

Certified copy of the marriage license and certificate between Lawrence Rambin and Miss Sillener Rambin presented by applicant, received, filed, marked Exhibit "A", and made a part of the record in this case.

Q Are you related to your wife? A Yes; third cousin.

Q Was the mother of these children, Selliner Rambin, ever recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.

Q You claim for these children do you? A Yes sir.

Q Are these children living with you at your home now? A Yes sir.

Q You left them in Bayou La Lache, Louisiana, did you? A Yes sir.

Q You make no claim for yourself? A No sir.

Q You don't claim to have Choctaw blood? A No sir.

Q Are the names of these children to be found on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A I don't believe; no sir; I guess not.

Q Did you ever make application for these children to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Q Did you ever make application for these children for citizenship to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.

Q Have they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Is this the first application that has been made for them to any authority for citizenship in the Choctaw Nation? A Yes sir.

Q You now come before the Commission to identify them as Mississippi Choctaws claiming interests in lands in the Indian Territory Choctaw Nation through article fourteen? A Yes sir.

Q What is the name of their ancestor through whom you claim their right to be identified? A It comes through the Reblous.

Q Well, the original ancestor? A Nan-ta-wah.

Q Is that their ancestor? A Yes sir.

Q Did she have any English name? A I don't know.

Q Do you know anything about her? A No sir.

Q Know when or where she was born? A No sir.

Q -or died? A No sir.

Q Did she ever live in Mississippi or Alabama? A I don't know.

Q How much Choctaw blood did she have? A I don't know.

Q Did you ever hear? A No sir.

Q You don't know much about it only what you have heard it rumored on your wife's side? A That's all.

Q And you didn't hear much about that? A No sir; not until I came up here.

Q When you came up here I suppose, and talking around about the relatives you heard something about that; after that--A After that we looked it up.

Q You are partly French, are you not? A Yes sir.

Q And the children have French blood and Choctaw, you claim? A Yes sir.

Q Do you know if any of Nan-ta-wah's descendants through whom you claim the right of identification for these children ever lived in Mississippi or had land there? A No sir.

Q Did any of their Choctaw ancestors own any improvements on land in Mississippi or Alabama? A I don't know.

Q Did any of the Choctaw ancestors of your children go to the United States Indian agent within six months after the ratification of the treaty of 1830 and tell him that they wanted to stay in Mississippi, and take land there? A No sir.

Q Did any of their Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory, between 1833 to 1838? A No sir.

Q Did any of their Choctaw ancestors claim any land or own or receive any under article fourteen of the treaty of 1830? A No sir.

Q Did they claim or own or receive any or any benefits under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

According to the provisions of article fourteen of the treaty of 1830 the Choctaw Indians who stayed back there in Mississippi or Alabama who refused to come to the Choctaw Nation with the other Indians after the treaty of 1830 was ratified were required to go to the United States Indian agent and make their declarations of intention to remain in Mississippi, take land there and become citizens of the States; a great many Indians did this and afterwards took land in Mississippi and lived upon it and had improvements upon it, and later on they were dispossessed, because the United States Indian agent had failed to put their names down on his list known as Ward's register; so many names were left off of that list that the complaints became numerous and Congress appointed a Commission- this Commission went to Mississippi and heard claimants under article fourteen and made lists of all who appeared before it, this Commission of 1827. In 1842 Congress appointed another Commission for the same purpose and it went to Mississippi and heard claimants under article fourteen and made lists.

Q Do you know if any of the Choctaw ancestors of these children, any of them went before either of these Commissions, that approved March 3, 1837, or that of August 23, 1842 and--? A No sir.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indians living in Mississippi or Alabama appeared before the Commission of 1842 and proved his claim or right under article fourteen of the treaty of 1830, if it also appeared at that time that he was entitled to land because his land had been taken from him by the Government that he should be allowed to select land in Mississippi, Louisiana, Alabama or Arkansas, to be taken from vacant Government land and that certificates to that effect should be given him; these certificates were called scrip.

Q Did any of their Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A No sir.

Q Have you any documentary evidence you want to present now in support of this application you make for the identification of these minor children of yours? A No sir.

The following people have made application to be identified as Mississippi Choctaws before the Commission claiming through the same common ancestor, Nan-ta-wah:

Minnie Hesser 3949; Mary Flores 3980; Joseph L. Rabin 3951; Boney Rabin 3952; also J.O. Flores, Mary E. Beach and Sylvester Rabin and others.

Q Are these all relatives of your children? A Yes sir.

Q They claim through the same common ancestor? A Yes sir.

Q Do you want to have your testimony considered with these others who have already testified before the Commission in order that each may get the benefit of the other? A Yes sir.

In the absence of the personal appearance of these children before the Commission, so that the Commission has no opportunity of getting a description of their physical characteristics, the following questions are asked the applicant:

Q Will you describe the personal appearance and physical characteristics of these children, Carrie, Myrtle and Lawrence? A Yes sir.

Q Were they dark or light? A Carrie was dark complexion; black hair and black eyes. Myrtle has light hair and gray eyes, fair complexion.

Q Lawrence? A He has blue eyes, light hair and fair complexion.

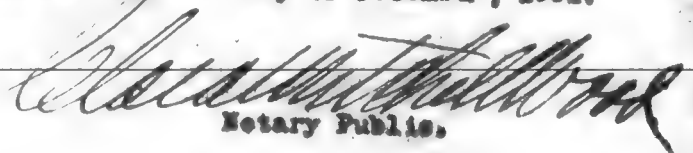
Q They don't understand, I suppose, the Choctaw language? A No sir.

-O-O-O-O-O-O-O-O-O-O-

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 2, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 4th day of December, 1901.


Notary Public.

N C R 3963

COPY.

Muskogee, Indian Territory, September 2, 1902.

Carrie L. Rabin,

Bayou La Lache, Louisiana.

Dear Madam:

You are hereby advised that on the 2nd day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rosalia Wallette, et al., embracing the following applications for identification as Mississippi Choctaws:

Rosalia Wallette,	N C R 4898
Elia Laurent, et al.,	" 4898
Angele Laurent,	" 4898
Olevia Wallette, et al.,	" 4897
John E. Wallette, et al.,	" 4478
Louis L. Wallette, et al.,	" 4329
Joe Clanton, et al.,	" 3101
Here Flores, et al.,	" 3487
Mary E. Neach, et al.,	" 3096
John Brashier, et al.,	" 2887
Joseph O. Flores, et al.,	" 2888
Joe D. Laffitte,	" 3100
Leon Laffitte,	" 3102
Napoleon Laffitte,	" 3097
Sam Laffitte,	" 3099
A. Dubas, et al.,	" 3103
Minnie Messer,	" 2749
James Flores, et al.,	" 3714
Sylvester Rabin, et al.,	" 3718
Joseph L. Rabin, et al.,	" 3961
Della Rabin, et al.,	" 3931
Carrie L. Rabin, et al.,	" 3953
Clara Legrand, et al.,	" 3713
Honey Rabin, et al.,	" 3952
Edmund Forier, et al.,	" 2239
Starling Forier,	" 2244

Blumetta Beaton, et al.,	M O R 2392
Bob Dupre, et al.,	" 2241
Len Dupre,	" 2243
Edward L. Grumbles, et al.,	" 2240
Annie Flores, et al.,	" 2250
Charley B. McCause, et al.,	" 2242

These applications were made under the provisions of the act of Congress of June 23, 1898 (30 Stats., 455), which is as follows:

"Said Commission shall have authority to determine the identity to of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Roselia Wallette, Zelia Laurent, Jemee Olive Laurent, Alexis Laurent, Frank Laurent, Steve Laurent, William Bernard Laurent, Ivan Lee Laurent, Sam Clyde Laurent, Preston Laurent, John Wilma Laurent, Sydney Laurent, Anglie Laurent, Olevia Wallette, Earnest Wallette, Edwin Wallette, Lee Wallette, Eva Wallette, John B. Wallette, Gertrude Wallette, Eugenia Wallette, John Steven Wallette, Louis L. Wallette, Lambert Wallette, Joe Clanton, Dan Clanton, Mero Flores, Angela Flores, Mary E. Roach, Robert Roach, Willie Roach, John Brashier, Jones Brashier, Oscar Brashier, Louis Brashier, Joseph O. Flores, Sloan Flores, Ben Flores, Oscar Flores, Mary Flores, Clayton Flores, Joe D. Laffitte, Leon Laffitte, Napoleon Laffitte, Sam Laffitte, A. Dubas, Joe Dubas, John Dubas, Napoleon Dubas, Minnie Hesser, James Flores, William Flores, Walter Flores, Lavinia Flores, May Flores, Sylvester Rambin, Sydney Rambin, Samuel Rambin, Mattie Rambin, Pearl Rambin, Birdie Rambin, Eda Rambin, Joseph L. Rambin, Mary Z. Rambin, Della Rambin, Joseph Arnold Rambin, Carrie L. Rambin, Myrtle L. Rambin, Lawrence L. Rambin, Clara Legrand, Andrew Augustin Legrand, Joseph Napoleon Legrand, Mary E. Legrand, Joseph V. Legrand, George M. Legrand, Emma Lucy Legrand, John A. Legrand, Mary Celeste Legrand, Boney Rambin, Joseph O. Rambin, Arthur Rambin, Lula Rambin, Joseph McQ. Rambin, Johnnie

C L R-3.

Rambin, Edmund Perier, Winnie Perier, Annie Bell Perier, Sterling Perier, Blunetta Deaton, Eddie Lee Deaton, Bob Dupre, Robert Dupre, Elijah Dupre, Vessie D. Dupre, Lula Dupre, Skipper Dupre, Beatrice Dupre, Lem Dupre, Edward L. Grumbles, Leonard Grumbles, John Grumbles, Robert Grumbles, Mary Grumbles, Ed Grumbles, Dan Grumbles, Willie Grumbles, Ragus Grumbles, Annie Flores, William Flores, Lillie M. Flores, Philip Flores, Hartwell Flores, Charley B. McCause, Fletcher D. McCause, Minnie B. McCause, Katie V. McCause, Eddie McCause, Mable McCause, Pearl McCause and Bridie McCause as Cheataw Indians entitled to rights in the Cheataw lands under the provisions of article fourteen of the treaty of 1850, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

H.C.R. 3953

COPY.

Muskogee, Indian Territory, February 25, 1903.

Garrie L. Rambin,

Bayou LaChute, Louisiana.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Cheptaws of the several persons included in the consolidated case of Rozelia Wallette, et al., of which decision you were advised by registered mail on the 2nd day of September, 1902.

Respectfully,

James Bixby.
Chairman.

M.C.R. 3953.

COPY

Muskogee, Indian Territory, November 12, 1906.

Mitchell L. Rabin,

Bayou LaChute, Louisiana.

Dear Sir:

You are hereby notified that the Secretary of the Interior on October 30, 1906, denied the request of E. L. Grumble of Pauls Valley, Indian Territory, of June 20, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Roselia Wallette, et al.

Respectfully,

SIGNED *Tams Bixby.*
Commissioner.

MCR-3953

Muskogee, Indian Territory, March 2, 1907.

Mitchell Rabin,

Bayou LaChute, Louisiana.

Dear Sir:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied a motion, filed by Patchell & Henderson, attorneys at law, Pauls Valley, Indian Territory, for a reconsideration of Departmental action of October 30, 1906, denying a request filed by E. L. Grumble June 22, 1906, for a rehearing in the consolidated Mississippi Choctaw case of Roxelia Wallette et al.

Respectfully,

Commissioner.

No. 3953

For Identification as a Mississippi Choctaw.

Date Nov 3 190

Name Mitchell L. Rambin
for 3 minor children.
Age 37 Blood white

Post Office, Bayou la Chute, La.

Father: of child Mitchell L. Rambin &
of children SELLINER, C. B.
Mother: Selina - "1/6" &
children
Claims through Mother

Children:

Carrie L. Rambin, " "
Myrtle L., " " 7
Lawrence L., " " 5
Claim 1/32 Choctaw blood

Claims for children

Choctaw MCR 3954

Becky Jackson

MCR 3954

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Becky Jackson for
identification as, a Mississippi Choctaw, M.C.R.3954.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Becky Jackson for
identification as a Mississippi Choctaw, M.C.R.3954.

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3954

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Conehatta, Mississippi, October 29, 1901.

In the matter of the application of Becky Jackson for identification as a Mississippi Choctaw.

Becky Jackson, having been first duly sworn, upon her oath testifies as follows, through interpreter, Oscar Billey:

Examination by the Commission:

- Q What is your name? A Becky Jackson.
- ✓Q How much Choctaw blood do you claim to have? A Full blood.
- Q How old are you? A About sixty years old, people tell me about sixty years old.
- Q You don't know your exact age, do you? A No.
- Q What is your post office address? A Conehatta, Mississippi.
- Q How long have you lived in Newton county, Mississippi? A Born and raised here until grown and then went to Louisiana and came back here and been here ever since.
- Q How long did you live in Louisiana? A About four years.
- Q Were you ever in Indian Territory? A No.
- ✓Q Is your father living? A No, dead, went out to the territory and died.
- ✓Q What was his name? A His English name John, Choctaw name Ho-tan-yah.
- Q Did he ever have any other English name than John? A No.
- Q When did he die? A Don't know--he died out in the territory.
- Q About how long ago was it he went to the territory? A A while after all old Choctaws moved out there to the new country.
- Q How long after that? A Don't know, about fifty years ago.
- ✓Q Is your mother living? A No.
- Q What was her name? A Don't know.
- Q Didn't you ever hear? A She died when I was little bit of a girl.
- ✓Q Were your father and mother both full blood Choctaws? A Yes.
- Q Your father never ~~went~~ came back to Mississippi after he went out west did he? A No.
- Q You never went out there? A No.
- Q Do you know whether your father was ever a recognized member of the Choctaw tribe of Indians in Indian Territory? A No.
- ✓Q Are you married? A Yes.
- Q Is your husband living? A No, dead.
- Q Have you any children living under twenty one years of age and unmarried for whom you want to make application? A No.
- ✓Q This application is for yourself alone? A Yes.
- Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A Don't know.
- Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be admitted or enrolled as a member of that tribe? A Don't know.
- Q You never went out there and told the Indians out there you wanted to become a member of the tribe? A No.
- Q Did you in the years 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress approved June 10, 1896? A Don't know.
- Q Did you ever make any application of any description prior to this time to the Choctaw tribal authorities or the United States authorities to be admitted or enrolled as a citizen of the Choctaw Nation? A Don't know.

Becky Jackson-----2.

Q Did you not appear before the Commission at Decatur, Mississippi, on the ninth day of February, 1899, and make application for identification as a Mississippi Choctaw? A Yes.

The records of the Commission show that this applicant appeared before the Commission to the Five Civilized Tribes at Decatur, Mississippi, February 9, 1899, and there made application for identification as a Mississippi Choctaw, her name appearing upon Mississippi Choctaw Card Field No. 496, also upon page 103 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10, 1899, to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being roll No. 1788 thereon.

Q Is that application which you made two years ago at Decatur, the only application of any kind you have ever made? A Yes, the only application.

Q Do you appear before the Commission at this time for the purpose of making application for identification as a Mississippi Choctaw, claiming rights in the Choctaw lands in Indian Territory under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.

Q Do you understand article fourteen of the treaty of Dancing Rabbit Creek? A Yes. No.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, between the United States government and the Choctaw tribe of Indians. At the time this treaty was made, the Choctaws lived here in Mississippi and along the western edge of Alabama. The object of this treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi river, a portion of which is now occupied by the main portion of the Choctaw tribe of Indians. At the time this treaty was made, some of the Indians were unwilling to remove to the new country west of the Mississippi river, while others preferred to remove out there. For the benefit of those preferring to remain here in Mississippi, the fourteenth article was put in this treaty. That fourteenth article is as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey. In like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the

Becky Jackson----- -3.

privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you think you understand that fourteenth article now? A Yes.

Q Did any of your ancestors ever comply or attempt to comply with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek or ever receive any benefits thereunder? A Don't know.

Q Were any of your ancestors living in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.

Q Did any of them own any improvements here at that time? A Don't know.

Q Were any of your ancestors recognized members of the Choctaw tribe here at that time? A Don't know.

Q Did any of them remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A Don't know.

Q Did any of them ever claim or receive any land here in Mississippi from the United States government under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.

Q Did any of them ever claim or receive any land here in Mississippi under the provisions of any other article of the treaty of Dancing Rabbit Creek than the fourteenth article or under the supplement of that treaty? A Don't know.

Q So far as you know did any of your ancestors ever receive any land in Mississippi from the government of the United States? A Don't know.

Q Or did any of them ever receive any money from the government? A Don't know.

In accordance with the provisions of article fourteen of the treaty of Dancing Rabbit Creek the government of the United States directed an agent here in Mississippi to register the names of such Choctaws as might desire to remain here and become citizens under that article. The records of the government show that that agent failed to record and report to the government the names of many Indians who did in fact signify to him their intention to remain and become citizens of the states and receive land under the fourteenth article. On this account, the government at its public land sales in many instances sold land upon which Choctaws lived and had improvements and which they supposed they would receive from the government under the provisions of article fourteen of that treaty. This caused a great deal of complaint among the Indians and the matter was finally brought to the attention of Congress and Congress passed an act which was approved on the 3rd day of March, 1837, providing for the appointment of a Commission to come down here to Mississippi and hear the claims of Choctaw Indians who claimed that they had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that their land had been sold by the government. This Commission was duly appointed by the President and the Commissioners came down here to Mississippi and heard a few of these Choctaw cases, but in the time allowed them by the act of Congress under which they were appointed and a subsequent act approved on the 22nd day of February, 1838, they were unable to hear but a comparatively small number of these Choctaw cases. It therefore became necessary for Congress to make provision whereby the remainder of these Choctaws might be given hearings, and another act of Congress was approved August 23, 1842, providing for another

Becky Jackson-----4.

Commission to come down here and finish up this work. This Commission was duly appointed by the President and the commissioners came down here to Mississippi and heard a great many of these Choctaw cases.

Q Did any of your ancestors appear before either one of these Commissions and attempt to establish their rights under article fourteen of the treaty of Dancing Rabbit Creek? A Don't know.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that his land had been sold by the government he should be entitled to select in lieu thereof other land in Mississippi or in Alabama, Louisiana or Arkansas from vacant government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors ever receive any of this scrip from the United States government under this act of Congress? A Don't know.

Q So far as you know, did any of your ancestors ever receive any benefits whatever as Choctaw Indians? A No.

Q Did you ever see or hear of any deed or patent issued to any of your ancestors covering land here in Mississippi given to them under the provisions of article fourteen of the treaty of Dancing Rabbit Creek or any other article of that treaty? A No.

Q Do you know the names of any of your grandparents? A Don't know any of them.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors ever complied or attempted to comply with any of the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

Q Do you know any one living who would likely know whether any of your ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No, all old folks are dead.

Q Have you any witnesses here today? A No.

Q Have you any written evidence you want to offer? A No.

Q Any further statements you want to make? A No.

Q Have you any children living? A One living.

Q What is that child's name? A Tecumseh Jackson.

Q Where does he live? A Near Conehatta, Mississippi.

Q About how old is he? A About forty.

Q Is he married? A Yes, heap children.

Q Is his wife living? A Yes.

Q What is her name? A Sophia.

Q What are the names of their children? A Jim, Walter and Lena,--these are children by first wife. He has a second wife now.

Q What are the children by his second wife, Sophia? A Mack, Winnie and Salina.

Q Is Mack's full name McElry? A Yes.

Q Did you ever have any other children besides Tecumseh? A One more, but he is dead.

Q How old was he when he died? A Three years old.

Q What is the name of Tecumseh's father? A Sam Jackson.

Q Was he a full blood Choctaw? A Yes.

Q Did you ever have any brothers? A Yes.

Q How many? A All dead--had four brothers.

Becky Jackson-----5.

- Q What were their names? A The oldest one I can just recollect the Choctaw name, Im-on-a-tubbe.
- Q Was he older than you? A Yes, away older.
- Q Did he leave any children? A Yes several.
- Q Are any of them living now? A All dead.
- Q Did any of these children leave any children? A Yes, another one had three children but they are all dead.
- Q All the descendants of your first brother are dead? A Yes and my second brother too.
- Q What is your second brother's name? A Hush-a-te-lamba.
- Q What is the name of your next brother? A Tuk-a-la-mubbe.
- Q Did he leave any children? A No.
- Q What is the name of your next brother? A Can't remember it.
- Q Did you ever have any sisters? A Yes, Betsey.
- Q What was her Choctaw name? A Pis-ah-tamah.
- Q Did you have any other sisters? A E-ah-hoka.
- Q Did you have any other sister? A Just two.
- Q Did you ever have a brother by name of Ah-fab-moon-tubbe? A No.
- Q Did you ever have a brother by name of E-yem-o-tubbe? A Don't know.
- Q Did you ever hear of any of your beothers getting any land here in Mississippi from the government? A No.
- Q Did your sisters leave any children? A No.
- Q Did you ever hear of any of your sisters getting any land from the government here in Mississippi? A No.
- Q When did all these brothers and sisters die? A Long time ago.
- Q Did they die before your father went out to the territory or afterwards? A Died before that.
- Q They all died when you were a little girl? A Yes.
- Q Before you were grown? A Yes.
- Q And you never heard of any of them getting any land from the Government? A No.
- Q Did you ever hear of any of them getting any money from the government? A No.
- Q Did any of your brothers or sisters go to the Indian Territory? A No, my father and sister I understand went out there. I was away from home when they left.
- Q Which sister was it want? A E-ah-hoka.
- Q Did you ever hear your father say anything about claiming any land from the government? A No.
- Q Are any of your father's brothers living? A No.
- Q Are any of your father's sisters living? A No, all went to the territory and died out there---that is what I heard.
- QX Are any of the descendant if your father's brothers or sisters living at this time in the state of Mississippi? A No.
- Q Are any of your mother's brothers or any of your mother's sisters living? A No.
- Q Are any of the descendants of any of your mother's brothers or your mother's sisters living in Mississippi at this time? A No.

If you should see fit to offer any written evidence at any future time or to cause any witnesses to appear before the Commission to testify in this case, this may be done within a reasonable time. The witnesses may appear before the Commission at any of its appointments in Mississippi this fall or at the general office of the Commission at Muskogee Indian Territory.

This Applicant is to all appearances a full blood Choctaw Indian. She speaks and understands the Choctaw language and but very

Becky Jackson-----6.

little English, the examination having been ~~was~~ conducted almost entirely through a sworn Choctaw interpreter.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 29th day of October, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Conehatta, Mississippi, this 30th day of October, 1901.

L.B. Massey

Clerk U.S. Circuit Court, Southern District of Mississippi.

By

[Signature]

Deputy.

C.W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Becky Jackson for
identification as a Mississippi Choctaw, M.C.R. 3954.

.....D E C I S I O N.....

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on October 29, 1901, by Becky Jackson for herself, under the follow-
ing provision of the act of Congress approved June 28, 1898, (30
Stats., 495):

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the
Choctaw lands under article fourteen of the treaty be-
tween the United States and the Choctaw Nation, concluded
September twenty-seventh, eighteen hundred and thirty,
and to that end may administer oaths, examine witnesses
and perform all other acts necessary thereto and make
report to the Secretary of the Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full-blood Mississippi Choctaw
Indian.

Section forty-one of the act of Congress entitled "An Act
To ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes," approved July 1, 1902,

(32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 22, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Becky Jackson should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Acting Chairman.

Commissioner.

Commissioner.

Dooley, Indian Territory,

FEB 14 1903

COPY.

M.C.B. 3954.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Becky Jackson as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Becky Jackson as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

W.C.B.

Registered.

Enc. W.C.B. 11.

Acting Chairman.

COPY.

M.C.R. 3984

Muskogee, Indian Territory, March 11, 1903.

Becky Jackson,
Conehatta, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

James Bixby.
Chairman.

Registered.

Enc. 3984

1457

No. 3954

For Identification as a Mississippi Choctaw.

Conehatta, Miss

OCT 29 1901

Name *Pucky Jackson*

Age *60* Blood *full*

Post Office, *Conehatta, Miss*

Father: *John No-tan-yah* d/

Mother: *don't know* d/

Claims through *both parents.*

(Claims for self only)

Children:

*(See Miss. Choc. card
file No. 496. Appearance
2/9/99)*

Stenographer

McRieten

Decy fac Koy.

R.3954

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Choctaw MCR 3955

Sam Cain

See MCR 4107

I.C. 688, 862

MCR 3955

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Herein is the record in the matter of the application of
Sam Cain (Ontubbee), et al., for identification as Mississippi
Choctaws, M.C.R. 3955.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Sam Cain (Ontubbee), et al., for identification as Mississippi Choctaws, M.C.R.3955.

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Sam Cain, et al., for
identification as Mississippi Choctaws, consolidating the applica-
tions of:

Sam Cain, et al., M.C.R. 3955
Wesley Cain, et al., M.C.R. 4107

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
One mile and a half west of Conehatta, Mississippi,
November 29th, 1901.

In the matter of the applications of Sam Cain and descendants as Mississippi Choctaws.

John Johnson, being first duly sworn, testified as follows:
(Oscar Billey, official interpreter).

Examination by the Commission.

- Q What is your name? A Il-la-nut-tah.
Q Have you an English name? A John Johnson.
Q How old are you? A Ninety years old.
Q What is your postoffice address? A Conehatta, Mississippi.
Q Are you a full blood Choctaw Indian? A Yes.
Q Where were you born? A Newton County, three miles east of Decatur.
Q Have you lived in Newton County all your life? A Yes, just lived all around here all my life.
Q Are you acquainted with Sam Cain, commonly known as Fat Sam?
A Yes.
Q How long have you known him? A Know him all my life; I used to nurse him when he was little boy.
Q Is he a full blood Choctaw? A Yes.
Q Has he a Choctaw name? A Sa-oh-ah-tubbee.
Q Has he always lived in the State of Mississippi? A Yes.
Q About how old is he? A About sixty.
Q Is Fat Sam's father living? A No.
Q How long has he been dead? A About fifty years. Fat Sam was maybe five or ten years old when he died.
Q What was his name? A Ah-thle-po-ah.
Q Did Fat Sam's father always live in Mississippi? A Yes.
Q And he was a full blood Choctaw you are sure, are you? A Yes.
Q What was the name of Fat Sam's mother? A Ho-kin-chuk-mah.
Q How long has she been dead? A She died about two years after her husband died.
Q Did she or her husband have an English name? A Fat Sam's father's name was Sam Cain.
Q What was his mother's name? A Nancy.
Q Did Nancy always live here in Mississippi too? A Yes.
Q Do you know the name of Fat Sam's father's father? A No, never did know him.
Q Do you know the name of Fat Sam's mother's mother? A Im-mo-na-ho-hi.
Q Did she always live in Mississippi? A Yes.
Q Was she a full blood Choctaw? A Yes.
Q Did she have an English name? A Never heard it.
Q Do you know the name of Fat Sam's mother's father? A Ah-chi-ah-tubbee; he was my father.
Q Did he have an English name? A Tom.
Q Just Tom? A That's all.
Q Do you know the names of his father and mother? A I don't know, been died so long.
Q Do you know the name of Fat Sam's mother's mother? A Yes.
Q What is it? A Mi-hah-li; she was my mother.
Q Do you know her mother's and father's names? A Her mother Ah-to-ni.

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- Q Do you know Mi-hah-li's father's name? A I don't know it.
- Q Have you given all the names of Fat Sam's ancestors whose names you know? A Yes, that's all I remember.
- Q Have all of them been full blood Choctaw Indians? A Yes, full blood.
- Q And have all of them always lived in the State of Mississippi? A Yes.
- Q Do you know whether any of them were ever recognized members of the Choctaw Tribe? A I don't know whether they were or not.
- Q Did you ever hear of any of them ever getting any land from the Government? A No.
- Q Did you ever hear of any of them ever getting any money from the Government? A Yes, most of them got money.
- Q When? A About sixty years ago.
- Q Where? A About three miles this side of Hickory; a white man by the name of Fisher gave them money there.
- Q Do you know how much these Indians got apiece then? A Them that got the money, they says about one hundred dollars apiece in dividing the money if they give in their children's names, but the mother of these children did not want to give in the children's names, so that they didn't get but fifty dollars apiece.
- Q What children do you refer to? A Children never got anything, only old folks were to get \$100. if all those children were put on the roll but old folks did not want children to go on roll.
- Q What children are you talking about? A I don't know which one of those women didn't want their children on the roll but lots of Choctaws there didn't want their children on the rolls.
- Q You are sure that some of Sam Cain's ancestors did get money at that time, are you? A Yes.
- Q What ones of them, in particular? A Fat Sam's mother.
- Q Did his father get any money at that time? A When this money was divided was after Fat Sam's father died.
- Q Do you know how many times Fat Sam has been married? A Three, with the one he is living with now.
- Q Are you acquainted with Fat Sam's son Wesley? A Yes.
- Q Did you know his mother? A Yes, I was acquainted with her but forgot her name.
- Q Was she a full blood Choctaw? A Yes.
- Q Did you know her father or mother? A No.
- Q Did you know any of her grandparents? A No.
- Q Were you acquainted with his second wife, the mother of Jackson Cain? A Yes.
- Q What was her name? A I cant think of her name.
- Q Do you know her father or mother? A Her father's name was Ah-pi-sah-yah.
- Q Do you know the name of any one of her grandparents? A No, don't know any of their names.
- Q Was Fat Sam's second wife a full blood Choctaw? A Yes.
- Q Were all of her ancestors full blood Choctaws? A Yes.
- Q Did they all of them always live in Mississippi? A Yes.
- Q Are you acquainted with Fat Sam's present wife? A No.
- Q Do you know any of her ancestors? A No.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, between the United States Government and the Choctaw Tribe of

Indians. At the time this treaty was made the Choctaws lived here in Mississippi and along the western edge of Alabama. The object of the treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi River, part of which is now occupied by the greater portion of the Choctaw Tribe of Indians, and is known as the Choctaw Nation Indian Territory. At the time the treaty was made some of the Choctaws were unwilling to remove from the country occupied by them here in Mississippi and Alabama and for the benefit of those who wanted to stay here, what is known as the 14th article was put in the treaty. This 14th article provided that upon certain conditions those Choctaws who desired to stay here in Mississippi might receive land here in Mississippi from the Government.

Fat Sam and his family have appeared before the Commission for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of this 14th article of the treaty of Dancing Rabbit Creek.

- Q Do you understand this 14th article? A Yes.
- Q Did any of Fat Sam's ancestors or any of the ancestors of either of his wives ever comply or attempt to comply with its provisions?
- A If they did I don't know.
- Q Do you remember when the treaty was made? A No. Just heard talk about it.
- Q Where were you living 71 years ago? A About a mile from Decatur, this side of Okehatta Creek.
- Q Which way is that from Decatur? A South of Decatur.
- Q You didn't go to the treaty ground, did you, when the treaty was being made? A No, just heard of it.
- Q Who of the ancestors of Fat Sam were living when this treaty was made? A I suppose all of them were living at that time.
- Q Give the names of such of his ancestors as were living 71 years ago? A His mother, Ho-kin-chuk-mah.
- Q Where did she live at that time? A In Newton County.
- Q Did she own an improvement here at that time? A Yes, she had a little improvement but that land didn't belong to her. She had a patch of something.
- Q Who did the land belong to? A White man by the name of Tonikin.
- Q Where was that land situated with reference to Decatur? A South of Decatur.
- Q How far? A Three miles.
- Q How long did she live on that land after the treaty was made?
- A I don't remember how long it was.
- Q Was it five years or ten years? A About five years.
- Q Did she own that land? A No.
- Q Whose land was it? A I don't know who this land belonged to then but after the treaty was made a white man by the name of Jones bought this land and commenced to fence it and the Indians got out.
- Q How long after the treaty was made that the white man came along and took the land away from them? A About five years.
- Q How much of an improvement did she have on this land at the time the treaty was made? A About three acres patch.
- Q What buildings did she have on it? A Just log house.

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- Q Did she ever go by the name of Nancy Johnson? A Yes.
- Q Are you sure she was a full blood Choctaw Indian, Nancy Johnson?
- A Yes.
- Q Did any other of Fat Sam's ancestors besides Nancy own an improvement here in Mississippi at the time this treaty was made? A All of Fat Sam's ancestors and that woman's ancestors all lived right there.
- Q All on that same improvement? A Yes.
- Q All of them that were living then at the time that treaty was made lived there on that tract of land where Fat Sam's mother had three acres cleared? A Yes.
- Q Do you know whether any of the ancestors or either of Fat Sam's wives lived here in Mississippi at the time the treaty was made or whether any of them owned an improvement here at that time? A Ho-ti-ah-nah, that was Fat Sam's wife's mother, had an improvement here at that time.
- Q His first or his second wife? A His second wife's mother.
- Q Where did she have that improvement? A In Scott County, above Indian Town.
- Q Near Hays? A Yes.
- Q Of what did the improvement consist? A I don't know, They lived on it a good while and I don't know whether a white man ever bought of them or not. They moved off from it.
- Q How many acres were there? A About five acres.
- Q What buildings? A Just little house.
- Q How long did she live on that land after the treaty was made?
- A About five years after the treaty was made that white man came in.
- Q A white man came in and took the land? A Yes.
- Q Did they ever get any land after that? A Don't know.
- Q Did any of the ancestors of Fat Sam's first wife own an improvement here at the time the treaty was made? A Yes, first wife's ancestors had improvement but can't think of name of one on it.
- Q Where was that improvement? A Okihatta Creek.
- Q Where is that? A In Newton County.
- Q How far was that improvement from Decatur? A About six miles from Decatur to the left of Hickory.
- Q East of Hickory? A Yes.
- Q What was that improvement? A About two or three acres.
- Q What buildings were on the land? A Just a little house. In them days Choctaws made house out of poles.
- Q How long did these people live on that land after the treaty was made? A About five years I reckon before white man began to move in.
- Q You mean then that about five years after the treaty was made the white people commenced to settle up this country and drove the Indians from the land? A Yes.
- Q Did any of these people ever own any land after they left that tract on which they lived after the treaty was made? A No.
- Q Were you grown at the time the treaty was made? A I was right small size boy at that time. I don't know exact if I am 90 or not, but an old white man told me I was ninety years old.
- Q Do you know whether any of Fat Sam's ancestors or any of the ancestors of either of his wives moved from this country to the new country west of the Mississippi River when the Choctaws moved out there between the years 1833 and 1838? A No, wasn't none of them moved.

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Q Doyou remember when the Choctaws made the first move within a few years after the treaty was made? A Yes, I heard of him at that time.

Q You didn't go out there yourself, did you? A No.

Q Do you know whether any of Fat Sam's ancestors or any of the ancestors of either of his wives, within six months after the treaty of Dancing Rabbit Creek was ratified, let the Agent of the Government here in Mississippi for the Choctaws know that they wanted to stay here in Mississippi and take land? A I don't know. If they did I don't know.

Q Did any of them ever claim or receive any land from the Government here in Mississippi under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

Q Did any of them ever get any land here in Mississippi from the Government under the provisions of any other article of that treaty than the 14th article or under the supplement to that treaty?

A If they did, I don't know.

Q Did you ever hear of any of them ever having gotten any land here in Mississippi from the Government? A No.

Q Did you ever see or hear of any deed or patent issued to either of them covering land here in Mississippi received from the Government? A No.

In accordance with the provisions of Article 14 of the treaty of Dancing Rabbit Creek the Government of the United States directed an Agent here in Mississippi to register the names of such Choctaws as might desire to remain here and become citizens and take land. The records of the Government show that his Agent failed to register and report to the Government the names of many Indians who did in fact signify to him their intention to remain and become citizens. On this account the Government, at its public land sales here in Mississippi, in many instances sold land upon which Choctaws lived and had improvements and which they supposed they would receive under article 14 of the treaty. This caused a great deal of complaint among the Choctaws and the matter was finally brought to the attention of Congress and Congress passed an act which was approved the 3rd day of March, 1837, providing for the appointment of a Commission to come down here to Mississippi and hear the cases of Choctaws who claimed that they had complied in all respects with the provisions of article 14 of the treaty but that their land had been sold by the Government. This Commission was duly appointed by the President of the United States and the Commissioners came down here to Mississippi and heard a few of these Choctaw cases, but in the time allowed them by the act of Congress under which they were appointed and a later act which was approved February 22nd, 1838, providing for the continuance of the Commission they were unable to dispose of but a comparatively small number of these cases. It, therefore, became necessary for Congress to make further provision by which the remainder of these Indians might be given hearings and another act was passed which was approved the 23rd day of August, 1842, providing for the appointment of another Commission to come down here and finish up this work. This Commission was appointed by the President and

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the Commissioners came down here to Mississippi, here in this part of the State where the Choctaws lived, and heard a great many more of these cases.

Q Did any of the ancestors of Fat Sam or any of the ancestors of either of his wives appear before either of these Commissions and attempt to establish their rights under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

Q Do you remember when these Commissions were down here? A No, I don't remember.

The act of Congress approved August, 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek but that his land had been sold by the Government, he should be entitled to select, in place thereof, land elsewhere in Mississippi, or in Alabama, Louisiana or Arkansas, from vacant Government land and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of the ancestors of Fat Sam or any of the ancestors of either of his wives ever receive any of this scrip from the Government? A Don't know, I heard of scrip, but don't know whether Fat Sam's ancestors or any of his wives' ancestors got any scrip.

Q Are there any other old men around here that would know any more than you do about this matter? A No, I don't know anybody that would.

This testimony is taken at the home of the witness, about one mile and a half west of Conehatta in Newton County, Mississippi. The witness has the appearance of being a full blood Choctaw Indian, speaks and understands the Choctaw language and practically no English and he has the appearance of being about as old as is claimed by him. His testimony has been given in a straight-forward manner and he impresses one as being a truthful man.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at the residence of the witness about one mile and a half west of Conehatta, Mississippi, November 29th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 6th day of December, 1901, at Carthage, Mississippi.

L. B. M...
Clerk U.S. Circuit Court, Southern District of Mississippi.

By *[Signature]* Deputy.

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Conehatta, Mississippi, October 29th, 1901.

In the matter of the application of Sam Cain for the identification of himself, his wife and one minor child as Mississippi Choctaws.

Said Sam Cain, being first duly sworn, testified as follows. (Oscar Billey, Official Interpreter).

Examination by the Commission.

- Q What is your name? A Sam Cain.
Q Have you a Choctaw name? A Yes, Sam Ontubbee.
Q How much Choctaw blood do you claim to have? A Full blood.
Q How old are you? A Well, I never has kept my age but I say nearly seventy.
Q What is your postoffice address? A Hays.
Q What County do you live in? A Scott.
Q How long have you lived in Scott County, Mississippi? A About forty or fifty years.
Q Where did you live before that? A In Newton County.
Q How long have you lived in Newton County? A Well, I don't know how long been--
Q Were you born in Newton County? A Yes sir.
Q You lived there until you went to Scott County? A Yes sir.
Q And have always lived in the State of Mississippi? A Yes sir.
Q Were you ever in Indian Territory? A No.
Q Is your father living? A No sir.
Q What was his name? A John Cain.
Q Did he have a Choctaw name? A Yes.
Q What was it? A Ith-le-po-tubbee.
Q Your father was a full blood? A Yes, a full blood.
Q When did he die? A I don't know when.
Q About how long ago do you think? A About forty years ago.
Q He died after you went up to Scott County? A Yes.
Q A short time after you went up there? A Yes, but I tell you this, he was in swamp you know hunting.
Q And he died up there? A Yes, and I come back from Scott.
Q How old a man was he when he died? A I don't know.
Q Was he as old then as you are now? A Yes, about.
Q Did he ever live in Indian Territory? A Nary time.
Q Was he ever out there? A No, sir.
Q You have heard him tell about the Choctaws being moved from this country out there? A Yes sir.
Q He told you he never went out there? A Yes, sir.
Q Do you know his father's name? A No.
Q Do you know his mother's name? A No.
Q Is your mother living? A No, sir.
Q What was her name? A Ho-kan-chuk-mah.
Q Did she have an English name? A I don't know.
Q Was she a full blood? A Yes sir.
Q When did she die? A She died about 24 years ago.
Q Where did she live during her life time? A She lived down here in Newton.
Q Did she always live in Newton County, Mississippi? A Yes, sir.
Q Did she ever go to Indian Territory? A No, sir.
Q Was she about the same age as your father? A I don't know.
Q Was she as old when she died, twenty four years, ago, as you are

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- now? A Yes, about.
- Q Do you know the name of your mother's father? A No, sir.
- Q Do you know the name of your mother's mother? A No, but my uncle knows.
- Q You don't know your mother's father's name? A No.
- Q Do you know your mother's mother's name? A No.
- Q What is the name of this uncle of yours whom you say knows your mother's father's name? A Johnson.
- Q What is his full name? A Well, he went to meet you at Decatur, I believe.
- Q Do you know his other name? A Yes.
- Q What? A Elon-a-tubbee.
- Q What is his first name? A Just Johnson.
- Q Where does he live? A The other side of Conehatta.
- Q Has he been up to Decatur this year? A Yes.
- Q Is he an old man? A Yes.
- Q What is his wife's name? A I don't know; dead long time.
- Q Has he got any children under twenty one years of age? A Only one children living, Henry Johnston.
- Q That was his son? A Yes.
- Q How old is he? A I don't know.
- Q Over twenty one? A Yes.
- Q Were either of your parents ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians in Indian Territory? A I don't know.
- Q Are you married? A Yes, sir.
- Q Married more than once? A Yes.
- Q Is your first wife living or dead? A Dead.
- Q Were you living with her at the time of her death? A Yes.
- Q What is the name of your present wife? A Mandy.
- Q Has she any Choctaw blood? A She is Creek Indian, her daddy is.
- Q What was her mother? A White.
- Q What is the other half? A My wife's daddy is a full blood Muskogee Indian, and lives in Rankin, County, Mississippi now. My wife's mother is one-quarter Choctaw, and three-quarters white.
- Q Can your wife talk the Choctaw language? A Yes.
- Q Do you want to make an application for your wife too? A Yes.
- Q How old is she? A Twenty two.
- Q Are you living with your wife now? A Yes.
- Q Were you married to her under a license or according to the Choctaw custom? A Choctaw custom.
- Q When did you marry her? A About seven years ago.
- Q Where? A Rankin County, Mississippi.
- Q Does she speak or understand the Choctaw language? A Yes, sir.
- Q Did she speak or understand that language when you married her? A No, sir.
- Q Learned it since she married you? A Yes, sir.
- Q Did she speak or understand the Creek language? A No sir, all English.
- Q What was her father's name? A John Indian; that is all I heard.
- Q You are sure he is a full blooded Creek, or Muskogee, Indian?
- Q Yes sir.
- Q Does he speak or understand the Choctaw language? A No, sir; only a few words.
- Q He never has lived among the Choctaws at all? A Yes, came here one year and went back.

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- Q What is the name of your wife's mother? A Ellen.
Q Does she speak or understand the Choctaw language? A Yes, some.
Q Where has she live all her life time? A I d n't know where. Last time I was acquainted with her up in Rankin County.
Q She lives in Rankin County now? A No, right here.
Q With you? A No, with her son.
Q Has she any negro blood? A No sir.
Q Has your wife's father any negro blood? A No, he is Creek.
Q Do you now the name of your wife's mother's father? A No.
Q Your wife's mother's mother? A Don't know.
Q You don't know the name of anyone of your wife's ancestors, or fore-fathers, further back than her mother and father? A No, sir; don't know.
Q Have you any children under twenty one years of age, who are not married? A Yes, one.
Q What is the name of that child? A Mary Etta.
Q How old is Mary Etta? A Not quite three years old.
Q You then, have one child under twenty one for whom you want to make application? A Yes.
Q Is this child the daughter of yourself and second wife, Mandy? A Yes.
Q This application, then, is for yourself, your wife and one minor child? A Yes.
Q Has your wife ever been in Indian Territory? A No sir.
Q Has her father ever been there? A No, sir.
Q Do you know where he came from to Rankin County, Mississippi? A No, sir.
Q How old a man is he? A I don't know how old.
Q Old as you are? A Yes.
Q Older you think? A Yes.
Q Is your ~~wt~~ name, or your wife's name to be found upon any of the Choctaw tribal rolls in Indian Territory? A No.
Q Did you ever make application for yourself or your wife to the Choctaw tribal authorities in Indian Territory to be admitted or enrolled as members of the Choctaw tribe of Indians? A No.
Q You understand that, do you think? A Yes, I think so.
Q

By the tribal authorities, I mean the officers of the Choctaw Government in Indian Territory, you know - the Indian officers there.

- Q Did you ever make application to them to be admitted or enrolled as a member of the tribe out there? A No.
Q Did you, or any one for you, or your wife, in the year 1896, make application to the Commission to the Five Civilized Tribes, commonly known as the "Dawes Commission", for citizenship in the Choctaw Nation under the Act of Congress approved June 10, 1896. That was five years ago; did you make any application to this Commission five years ago? A No.
Q Then, neither you, nor your wife, have ever been admitted to citizenship in the Choctaw Nation, Indian Territory, by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court for Indian Territory, have you? A No.
Q Have you ever made any application of any description before to-day to either the Choctaw tribal authorities or the United States authorities for yourself or wife to be admitted or enrolled as citizens of the Choctaw Nation? A No, this if the first time.

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Q Do y u appear before this Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article 14 of the treaty of Dancing Rabbit Creek--do you understand that? A Yes, but I don't know.

Q Do you understand article 14 of the treaty of Dancing Rabbit Creek
A No.

The treaty of Dancing Rabbit Creek was entered into here in the State of Mississippi on the 27th day of September 1830, that is over 71 years ago, between the United States Government and the Choctaw Tribe of Indians. At the time this treaty was made the Choctaw Indians lived here in Mississippi and along the western edge of Alabama. The object of th s treaty was to secure the removal of these Indians from the country occupied by them here to the new country out west of the Mississippi River, part of which is now occupied by the main portion of the Choctaw Tribe of Indians. At the time this treaty was made some of the Choctaws did not want to go out to the new country west of the Mississippi River but preferred to stay here and insisted that a provision be made in the treaty by which they might be permitted to remain here, while others preferred to go out west to the new country. For the benefit of those who wanted to stay here in Mississippi what is known as the 14th article was put into the treaty. An article is a part of subdivision of a treaty or agreement. That 14th article is as follows:-

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey, in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and an quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall ~~lose~~ not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q That is the 14th article of the treaty of Dancing Rabbit Creek. Do you think you understand that 14th article clearly? A Yes.

Q Did any of your ancestors or your wife's ancestors ever comply or attempt to comply with th provisions of article 14 of the treaty of Dancing Rabbit Creek or ever receive any benefits thereunder? A I don't know.

Q Were any of your ancestors or any of your wife's ancestors living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when this treaty of Dancing Rabbit Creek was made? A Don't know.

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Q Do you know whether any of your ancestors or any of your wife's ancestors owned an improvement here in the old Choctaw Nation in Mississippi and Alabama in the year 1830 , 71 years ago, when this treaty was made? A I don't know.

Q Do you know whether any of your ancestors or any of your wife's ancestors were at that time recognized members of the Choctaw Tribe of Indians? A No.

Q Did any of your ancestors or any of your wife's ancestors remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw Tribe of Indians between the years 1833 and 1838? A No.

Q You are sure of that? A Yes.

Q Did any of your ancestors or any of your wife's ancestors within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent for the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the States? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land here in Mississippi from the United States Government under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land here in Mississippi from the United States Government under the provisions of any other article of the treaty of Dancing Rabbit Creek than the 14th article or under the supplement to that treaty? A Don't know.

Q Did you ever hear of any of your ancestors or any of your wife's ancestors ever getting any land here in Mississippi from the Government? A No.

Q You are sure none of your people ever got any, are you? A Well, I am sure of that; If they had I would live on it now.

Q Did you ever hear of any of your ancestors or any of your wife's ancestors ever getting any money from the United States Government? A No.

Q Never did? A No.

In accordance with the provisions of article 14 of the treaty of Dancing Rabbit Creek the Government of the United States directed an Agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain here in Mississippi and become citizens of the States under article 14 of the treaty. The records of the Government show that that Agent failed to record and report to the Government the names of many Choctaws who did in fact signify to him their intention to remain here in Mississippi and become citizens of the States and on this account the Government, at its public land sales, in many instances sold land upon which Choctaws lived and had improvements and which they supposed they would get from the Government under this 14th article. This caused a great deal of complaint among the Indians and the matter was finally brought to the attention of Congress and Congress passed an act which was approved on the 3rd day of March, 1837, providing for the appointment of a Commission whose duty it should be to come down here to Mississippi and hear the cases of Choctaw Indians who claimed that they had complied in all respects with the provisions of article

Sam Cain et al---6

14 of the treaty of Dancing Rabbit Creek but that their land had been sold by the Government. This Commission was duly appointed by the President and the Commissioners came down here to this country and heard a few of these cases, but in the time allowed them by the act of Congress under which they were appointed and another act of Congress approved on the 22nd day of February, 1838, providing for the continuance of the Commission, they were unable to dispose of but a comparatively small number of cases and it became necessary for Congress to make a provision so that the remainder of these Choctaws could be given hearings. So, another act of Congress was passed which was approved August 23, 1842, providing for the appointment of another Commission to come down here to Mississippi and finish up the hearing of these Choctaw cases. This second Commission was duly appointed by the President of the United States and the Commissioners came down here in the early forties and heard a great many more of these cases.

Q Did any of your ancestors or any of your wife's ancestors appear before either of these Commissions and attempt to establish their rights under article 14 of the treaty of Dancing Rabbit Creek?

A I don't know.

Q You understand what I said, do you Sam? A Yes.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, that is had done each and everything that that 14th article said he must do, but that his land had been sold by the Government, he should be entitled to select land elsewhere, in Mississippi, Alabama, Louisiana or Arkansas, from vacant Government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors or any of your wife's ancestors ever receive any of this scrip from the United States Government under this Act of Congress? A No.

Q You have heard of this scrip before, haven't you? A Yes, I heard of him but I never saw him.

Q So far as you know, none of your ancestors or your wife's ancestors ever got any of that scrip, did they? A No.

Q Do you know anyone living who would likely know as to whether any of your ancestors or any of your wife's ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder?

A I don't know.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors or any of your wife's ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A I don't know.

Q Have you any written evidence to offer today? A No.

Q Have you any witnesses here today to testify in your case? A No.

Q Do you want permission to offer written evidence later? A No.

Q Do you want to offer any oral testimony in your case later? A No.

Sam Cain et al---7

In case you should see fit to offer at any future time either written or oral evidence in support of your application, you will be permitted to do so within a reasonable time. Any witnesses you may desire to present to the Commission may appear before us at any of your appointments here in Mississippi this Fall or at the General Office of the Commission at Muskogee, Indian Territory, within a reasonable time.

- Q So far as you know, were any of your ancestors or any of your wife's ancestors ever recognized members of the Choctaw Tribe of Indians? A I don't know.
- Q Did any of them ever receive any benefits as such? A I don't know.
- Q Have you some children over 21 years of age living? A Yes.
- Q How many? A Six.
- Q What are their names? A Wesley Cain.
- Q Where does he live? A In Scott County.
- Q What is his postoffice? A Hays.
- Q About how old a man is he? A About forty years old.
- Q Is he married? A Yes.
- Q Is his wife a full blood? A She is a full sister to my wife.
- Q What is her name? A Polly.
- Q What is the name of your next child, younger than him? A Bettie.
- Q Does she live in Scott County? A Yes.
- Q Is Bettie married? A Yes.
- Q What is her husband's name? A Willie Solomon.
- Q Is he a full blood? A Yes, full blood.
- Q What is the name of your next child younger than Bettie? A Mary.
- Q Does she live in Scott County? A Yes.
- Q Is she married? A No, her husband is dead.
- Q Has she been married more than once? A Yes.
- Q She has no husband living now, has she? A Yes, she married again.
- Q What is her present husband's name? A Wesley.
- Q What is his other name? A I don't know, he is an orphan boy, his name just Wesley.
- Q Is he a full blood? A Yes.
- Q What is the name of your next child after Mary? A Emma.
- Q Is Emma married? A Yes sir.
- Q Is her husband living? A Yes.
- Q What is his name? A Johnson Gibson.
- Q Is he a full blood Choctaw? A Yes.
- Q Do they live up there in Scott County too? A Yes.
- Q What is the name of your next child? A Addie.
- Q Is she married? A Yes.
- Q Is her husband living? A Yes sir.
- Q What is his name? A Mack.
- Q Mack what? A Mack Williamson.
- Q Is he a full blood? A Yes.
- Q Do they also live in Scott County? A Yes sir.
- Q Is that all your children? A One boy.
- Q What is his name? A Jackson Cain.
- Q Where does he live? A In Scott County.
- Q Is he married? A Yes.
- Q What is his wife's name? A Betsie.
- Q Is she a full blood Choctaw? A Yes.

Sam Cain et al---8

Q That is all of your grown children? A Yes.
Q Are they all by the same wife? A Yes.
Q Was she a full blood? A Yes.
Q What was her name? A Susan.
Q Have any of these children of yours, that you have named, been before the Commission this year? A No sir.
Q Were any of them ever before the Commission? A No sir, except my son-in-law Willie Solomon.
Q Did you ever have any brothers? A Yes.
Q How many? A One.
Q Is he living? A No sir, dead long time.
Q Did he leave any children? A Yes.
Q Are any of these children living? A Yes.
Q How many? A Four, I believe.
Q What are their names? A You had better ask old man Wesley.
Q What kin is he to you? A He married my first wife's sister.
Q He would not know your first wife's children as well as you know them, would he? A He says that he has given all of those names to Mr. Winton and he don't want me to give their names to the Commission and I don't want to tell it without his permission.
Q You understand that Mr. Winton has nothing to do with the Commission, don't you? A I never have spoken a word to him. We got church over there and Winton came there and got all Choctaw names--Catholics, and I never gave him my name.
Q Did he tell John Wesley not to come before the Commission, do you know? A I don't know.
Q Why is it that John don't want you to give information to the Commission? A I don't know.
Q Do you have to do as John Wesley says? A No, but he might not like it.

All efforts to induce this applicant to give any further names of members of his family and his wife's family, the descendants of common ancestors, are of no avail. He refuses to give in the names of his brother's children for the reason that he fears that one John Wesley, a full blood living in Scott County, near Hays, might take offense at it, it appearing that Wesley had requested that these names be not given in on account of the fact that he had made a contract with Mr. Winton. The applicant ~~has~~ is to all appearances a full blood Choctaw Indian, speaks and understands the Choctaw language and speaks and understands English fairly well. He is a man of above the ordinary intelligence for a Choctaw Indian, an interpreter only having been used during a small portion of the examination.

Ira S. Niles, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Conahatta, Mississippi, October 29th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 29th day of October, 1901,

Cain et al---

at Oceanhatte, Mississippi.

L. O. Mosely
Clerk U.S. Circuit Court, Southern
District of Mississippi.

By [Signature] Deputy.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Sam Cain (Ontubbee), et al., for identification as Mississippi Choctaws, M.C.R. 3955.

---: D E C I S I O N :---

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on October 29, 1901, by Sam Cain (Indian name Ontubbee) for himself, his wife, Mandy Cain, and his minor child, Mary Etta Cain, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that the principal applicant is a full-blood Mississippi Choctaw Indian. The other applicants herein are mixed-blood Choctaws, and whatever rights as Mississippi Choctaws they may possess by reason thereof will be determined at a later date.

Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902,

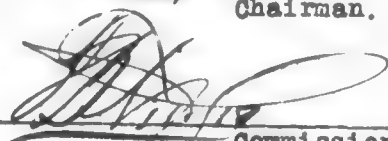
(32 Stat., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

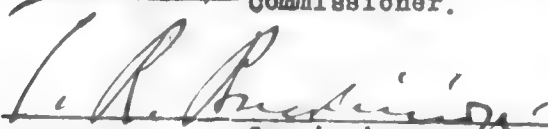
"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who, is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Sam Cain (Ontubbee) should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

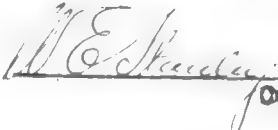

Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

MAR 12 1904


Commissioner.

COPY:

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Sam Cain, et al., for identification as Mississippi Choctaws, consolidating the applications of:

Sam Cain, et al.,	M.C.R. 3955
Wesley Cain, et al.,	M.C.R. 4107

---: D E C I S I O N :---

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Sam Cain for himself, his wife, Mandy Cain, and his minor child, Mary Etta Cain; and by Wesley Cain for himself and his three minor children, Anna (Onah), Eugene (Che-nubbee) and Mollie Cleo Cain, under the following provision of the act of Congress approved June 28, 1898 (30 Stat., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the records of the Commission it appears that Sam Cain, Wesley Cain and Anna (Onah) Cain, who are full-blood Missis-

issippi Choctaw Indians, have been duly identified by this Commission as Mississippi Choctaws, under the provisions of section forty-one of the act of Congress approved July 1, 1902, (32 Stats., 641). The evidence herein shows that all the other applicants are mixed-blood Choctaws and as such do not come within the purview of said section.

It also appears that Eugene (Che-nubbee) Cain and Mollie Cleo Cain claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Ith-le-to-tubbee (or Ah-thle-po-ah), Tom (or Ah-chi-ah-tubbee) and Ah-toni, all of whom are alleged to have been full-blood Choctaw Indians; that Wandy Cain, an applicant in W.C.R. 3955 claims said rights by reason of being a descendant of Ellen Indian, who is alleged to have been an one-quarter blood Choctaw Indian, and that the minor applicant in W.C.R. 3965 claims said rights by reason of being a descendant of all the above named ancestors.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 32), nor are any of the applicants herein parties litigant before the Choctaw-Chickasaw Citizenship Court created under the act of Congress approved July 1, 1902, (32 Stats., 641).

From the evidence submitted in support of said application it appears that all the applicants herein, except Mandy Cain, are lineal descendants of Tem (or Ah-ehi-ah-tubbee), a full-blood Choctaw Indian, who resided and owned improvements in Newton County, Mississippi, in eighteen hundred and thirty; that Ah-ehi-ah-tubbee, together with his wife, Milakli, and their children resided on said land for a period of about five years when they were driven away by a white man named Jones, and that Ah-ehi-ah-tubbee and his wife had, at the time of the treaty, a number of children, among them being, Po-kan-ohuk-mah (or Ho-kin-ohuk-mah), who is the mother of Sam Cain, the principal applicant in M.C.R. 3955, and Hlon-a-tubbee (or Illa-mut-tah).

Upon an examination of the records in the possession of the Commission it is found that the name Ah-che-ah-tubbe appears on page 507 of Volume I, Claimant's Brief and Evidence in the case of the Choctaw Nation vs. the United States before the Court of Claims No. 12742 in a list of "seventy-nine cases fully adjudicated by Commissioners Tyler, Gaines and Rush, 31 May 1845." From said list it appears that Ah-che-ah-tubbe resided in Section 29, Township 7, Range 12 East, and had, at the time of the treaty, five children, whose names are as follows: To-sho-mah, Ok-ah-in-ohuk-mah, Chinalle, H-lu-nah-tubbe and To-no-ho-ka, the two former being over ten while the three latter were under ten years of age. It further appears that Ah-che-ah-tubbe signified his intention to Colonel Ward, the Indian Agent, to remain for the five years stay and take land under article fourteen of the treaty of eighteen hundred and thirty, but after living upon said lands for two years he was dispossessed and possession taken by a white man named Jones.

The evidence as above set forth corresponds in the main with the record above cited and shows that the Ah-chi-ah-tubbee, the ancestor of all the above applicants, except Mandy Cain, is identical with the Ah-ah-ah-tubbe, whose name appears in the record above cited.

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Ellen Indian signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen of presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence is sufficient to identify Mary Etta Cain, Eugene (Chenubbee) and Mollie Glee Cain, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be granted, and it is so ordered.

It is the further opinion of this Commission that the evidence herein is insufficient to determine the identity of Mandy Cain, as a Choctaw Indian entitled to rights in the Choctaw lands

Under the provisions of said article fourteen of the treaty of
negotiated and thirty, and therefore application for her iden-
tification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Tamr Bixby.

Chairman.

(SIGNED)

T. B. Needles.

Commissioner.

(SIGNED)

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

SEP 27 1904

COPY.

M.C.R.3955

Muskogee, Indian Territory, March 16, 1904.

Sam Cain (Ontubbee),

Hays, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 12, 1904, identifying you as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stat., 641).

Under the provisions of the law above cited, the person so identified, in order to avail himself of the benefits of such identification, must remove to and make settlement in the Choctaw-Chickasaw country, Indian Territory, on or before September 12, 1904, and must make proof of such removal and settlement on or before March 12, 1905, at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, Indian Territory.

Respectfully,

(SIGNED)

Registered.
Enc.: MCR-3955.

Commissioner in Charge.

COPY:

M.O.R.3955

Muskogee, Indian Territory, March 16, 1904.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 12, 1904, identifying Sam Cain (Ontubbee) as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stat., 641).

You are hereby advised that you will be allowed fifteen days from the date of this notice in which to file with the Commission such protest as you desire to make against the action of the Commission in identifying said Sam Cain as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein. If you fail to file protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

C. R. Breckinridge.
Commissioner in Charge.

Registered.
Enc.: MCR-3955.

See MCR 2059 for registry receipt for this letter.

W.O.B.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NERDLES,
C. R. BRECKINRIDGE.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

M.C.R. 3955

WM O BEALL,
Secretary

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 27, 1904.

Sam Cain,

Hays, Mississippi.

Dear Sir:

Inclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying your daughter, Mary Etta Cain, as a Mississippi Choctaw.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), in order for her to avail herself of the benefits thereof, she must remove to and make settlement within the Choctaw-Chickasaw country, Indian Territory, on or before March 27, 1905. The Act above referred to also provides that proof of such settlement shall be made to this Commission within one year after the date of the identification of the person herein named as a Mississippi Choctaw.

By the Act of Congress approved April 21, 1904, (Public No. 125), it is provided that the Commission shall close its work and terminate on or before the first day of July, 1905. It is therefore, suggested that she appear before the Commission, at the Choctaw Land Office, at Atoka, Indian Territory, or the Chickasaw Land Office, at Tishomingo, Indian Territory, for the

S.C. 2

purpose of making proof of her removal to and settlement within
the Choctaw-Chickasaw country, at the earliest practicable date.

Respectfully,

A handwritten signature in dark ink, appearing to be 'J. P. ...', written over a rectangular stamp.

Chairman.

Registered.

Incl. M.C.R. 3955.

W. O. B.

COMMISSIONERS
JAMES BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
WM. O. REALL,
Secretary

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

M.C.R. 3955

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 27, 1904.

Mandy Cain,

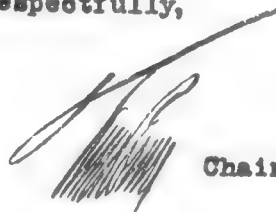
Hays, Mississippi.

Dear Madam:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 27, 1904, rendered its decision, refusing your application for identification as a Mississippi Choctaw.

You are further notified that you will be allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,



Chairman.

Registered

COPY.

M.C.R. 3955

Muskogee, Indian Territory, September 27, 1904.

Wansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying Mary Etta Cain, Eugene (Chenubbee) and Mollie Cleo Cain as Mississippi Choctaws included in the consolidated case of Sam Cain et al.

You are further advised that you will be allowed fifteen days from the date of this notice within which to file with this Commission such protest as you desire to make against the action of the Commission in identifying said applicants as Mississippi Choctaws. If at the expiration of that time no protest has been filed, their names will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tamc Pixby.

(SIGNED)

Chairman.

Registered.

Incl. M.C.R. 3955.

COPY.

M.C.R. 3955

Muskogee, Indian Territory, September 27, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on September 27, 1904, the Commission rendered its decision refusing the application for the identification as a Mississippi Choctaw of Manay Cain, included in the consolidated case of Sam Cain et al.

You are further advised that the applicant herein has been allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED) *Tams Bixby.*

Chairman.

COPY.

Muskogee, Indian Territory, October 18, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

There is transmitted herewith the record in the consolidated case of Sam Cain et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of September 27, 1904.

The above consolidated case embraces the following original applications heard by the Commission:

Sam Cain et al., M.C.R. 3955
Wesley Cain et al., M.C.R. 4107.

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

Tanne Birby

Chairman.

Through the
Commissioner of Indian Affairs.

2 Incl. MCR 3955.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

Land.
74365-1904.

February 11, 1907.

The Honorable,

The Secretary of the Interior.

Sir:-

I have the honor to invite your attention to the enclosed record of the Commission to the Five Civilized Tribes in the matter of the application of Sam Gain for the identification of himself, his wife, Nandy Gain, and his minor child, Mary Etta Gain, and by Wesley Gain, for himself and his three minor children, Anna (Onah), Eugene (Che-mubbee) and Nellie (Glee) Gain, as Mississippi Choctaws, wherein the Commission rendered an adverse decision on September 27, 1904.

The Commission found that the applicants based their claims for identification on their descent from Ith-le-pa-tubbee (or Ah-this-pe-ah), Ten (or Ah-chi-ah-tubbee) and Ah-toni, and Ellen Indian, who are alleged to have been full-blood Choctaw Indians and descendants of 14th article ancestors. The Commission also found from its records that Sam Gain, Wesley Gain and Anna (Onah) Gain are full-blood Mississippi Choctaws, and for that reason were duly identified by the Commission as such. The record is before the Department only as to Eugene (Che-mubbee), Nellie (Glee) Gain and Nandy Gain.

The most important evidence given in this case was furnished by Il-la-mut-tah, whose English name is John Johnson, and he was 90 years of age in 1901. He gave quite full testimony concerning the ancestry of the applicants, but after a painstaking examination of the evidence and of the records of this Office, it has been impossible to identify any of the ancestors named by him as being beneficiaries under the 14th article of the Choctaw treaty. All the testimony in the case tends to show that the 1830 ancestors of the applicants resided in a village of full-blood Indians, which the records of the Office show to have existed in the Choctaw country in Mississippi, but it has been found impossible to connect the applicants with any of the residents of that village under the names furnished by the applicants themselves or by Il-la-mut-tah or John Johnson. There is no question of the Choctaw ancestry of the applicants but unfortunately for them either through change of name, which frequently occurred among the Choctaws, or through the fact that their ancestors were not actually beneficiaries under the 14th article, it is impossible to make a favorable recommendation on their application. I therefore recommend that the decision of the Commission in this case be approved.

Very respectfully,

C.F. Larrabee,

KKH-Y.

Acting Commissioner.

(C O P Y)

G.R.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

FHE

I.T.D. 2990-2907.
D. C. 2222 9667.

February 15, 1907.

L.R.S.

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:-

In accordance with the recommendation of the Indian Office of February 11, 1907, (Land 74365-04), a copy whereof is inclosed for your information, the decision of the Commission to the Five Civilized Tribes of September 27, 1904, identifying as full blood Mississippi Choctaw Indians Sam Cain, Wesley Cain and Anna (Onah) Cain, and identifying as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article 14 of the treaty of 1830, Mary Etta Cain, Eugene (Che-mubee) and Nellie Glee Cain, and your decision of the same date refusing to identify Mandy Cain as a Mississippi Choctaw, is hereby affirmed. You will advise applicants of this action.

The record in the case and a carbon copy hereof have been sent to the Indian Office this day.

Respectfully,

Thos Ryan

First Assistant Secretary.

1 inc. and 3 for Ind. Of.
A.F.No-2-14-07.

REFER IN REPLY TO THE FOLLOWING:

3955

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 19, 1907.

Mandy Cain,
Hays, Mississippi.

Dear Madam:-

There is enclosed herewith copy of Departmental letter of February 15, 1907, accompanied by the report of the Acting Commissioner of Indian Affairs of February 11, 1907, affirming the decision of the Commission to the Five Civilized Tribes of September 27, 1904, refusing to identify Mandy Cain as a Mississippi Choctaw.

Respectfully,



Commissioner.

WLM.
Encl. 19/1

MCR-3985

Muskogee, Indian Territory, February 19, 1907.

Mansfield, McMurray and Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:-

There is enclosed herewith copy of Departmental letter of February 15, 1907, accompanied by the report of the Acting Commissioner of Indian Affairs of February 11, 1907, affirming the decision of the Commission to the Five Civilized Tribes of September 27, 1904, refusing to identify Mandy Gain as a Mississippi Choctaw.

Respectfully,

WLM.
Encl. 19/2

Commissioner.

m·m

1907

APR 10 1907.

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.



Unclaimed

Henry Cain,

~~Hays~~, Mississippi.

3955
W. H.
D.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 29 1904

A handwritten signature in dark ink, appearing to be 'J. R. ...', written over the 'FILED' stamp.

CHAIRMAN.

11799



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Sam Cain (Ortubee,)

Wes, Mississippi

MAR
MUSKOGEE, I. T.

register to

Sam Cain,

Hays, Miss., and return to

M.C.R. 59.5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

DEC 28 1904

[Handwritten signature]

CHIEF

Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

Reg 26

Removal



Sam Cain,

Hays, Mississippi.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

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CHAMAN.

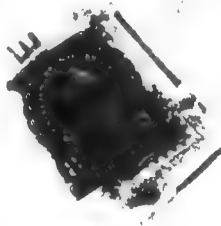
Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

R. Ch. Reg-28-

remodel



71063



Mandy Cain,

Hays, Mississippi.

REGISTRY DIVISION
SEP 30 1904
MUSKOGEE, IND. TER

No. 3955

For Identification as a Mississippi Choctaw.
Conehatta, Miss

Date OCT 29 1901

Name Sam Cain
On-tubbee

Age 70 Blood full

Post Office, Nays, Miss.

Father: John Cain
Ittlepotubbee

Mother: Ho-Kan-chuk-mah

Claims through both parents.
Wife ~~Sam~~ Mandy Cain (18) 22

Children:

Mary Etta Cain 2.

(Claims for himself, wife
and 1 minor child.)

Stenographer

J. S. Niles

Full bloods
Mabel & Anna
Cain

Sam Cain

Mixed bloods
Mary Esth Cain
Eugene
Melba Cain

Maudy Cain

Frank

Choctaw MCR 3956

Susan Farmer

See MCR 4089

MCR 3956

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Susan Farmer for
identification as a Mississippi Choctaw, M.C.R. 3956.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Susan Farmer for
identification as a Mississippi Choctaw, M.C.R.3956.

I N D E X .

Original application of Susan Farmer before the Dawes Commission for identifica- tion as a Mississippi Choctaw,.....	page 1
Decision of the Commission granting the application of Susan Farmer for identification as a Mississippi Choctaw,.....	9

3956

Department of the Interior,
Commission to the Five Civilized Tribes,
Conehatta, Mississippi, October 30, 1901.

In the matter of the application of Susan Farmer for
identification as a Mississippi Choctaw.

Susan Farmer, having been first duly sworn, upon her oath
testified as follows: (Oscar Billey, Official Interpreter.)

Examination by the Commission.

- Q What is your name? A Susan Farmer.
Q How much Choctaw blood do you claim to have? A Full blood.
Q How old are you? A Twenty.
Q What is your post office address? A Conehatta, Mississippi.
Q How long have you lived in Newton County, Mississippi? A Born and
raised here.
Q You never lived in Indian Territory? A No.
Q Is your father living? A Yes.
Q What is his name? A John Farmer.
Q Is he a full blood? A Yes.
Q Has he a Choctaw name? A I don't know.
Q Has he always lived in Newton County, Mississippi? A He lived in
Scott County until he was grown and then come to Newton.
Q Whenever was in Indian Territory? A No.
Q How old is John Farmer? A Forty five.
Q Is your mother living? A No.
Q What was her name? A Jennie.
Q Was she a full blood Choctaw? A Yes.
Q When did she die? A July, 1899.
Q Was she older or younger than your father? A Mother was younger.
Q Did she have a Choctaw name? A Yes.
Q What was her Choctaw name? A Ah-te-no-te-mah.
Q Did she always live in Newton County, Mississippi? A Yes.
Q Is your father's father living? A No.
Q What was his name? A John Farmer.
Q Same as your father? A Yes.
Q Did he have a Choctaw name? A I don't know.
Q Did you ever see him? A Never did see him.
Q When did he die? A I don't remember when he died.
Q Did he always live in Mississippi? A I don't know.
Q How old would he be if he were living now? A I don't know.
Q You know nothing then whatever about him? A No.
Q Is your father's mother living? A Yes.
Q What is her name? A Polly Farmer.
Q Where does she live? A About a mile from here.
Q Has she been before the Commission this year? A No.
Q About how old is she? A About seventy.
Q Is she a full blood Choctaw? A Yes.
Q Has she always lived here in Mississippi? A She lived in Scott
County, and moved to this county.
Q Always lived, then, in Newton County and Scott County, Mississ-
ippi? A Yes.

Susan Farmer, 2.

- Q You are sure she was never in Indian Territory? A Yes she has been out to Territory; I heard she was.
- Q When was she out there? A I heard she was a little girl when she went out there.
- Q Do you know how she stayed out there? A No.
- Q Has she a Choctaw name? A I don't know.
- Q Do you know whether she got any money from the Government while she was out there in the Territory? A Yes, I heard she got some money.
- Q How much money? A I don't know how much.
- Q Do you know the names of your grand father's father or mother, or your grand mother's father or mother? A I don't know.
- Q Is your mother's father living? A Dead.
- Q What was his name? A I don't know.
- Q Do you know when he died? A I don't know.
- Q You never saw him then? A I don't know; I don't remember her.
- Q Do you know where he lived during his life time? A Newton County.
- Q Do you know whether he was ever in Indian Territory? A I don't know.
- Q Do you know how old he would be if he were living now? A About eighty years old.
- ✓ Q Is your mother's mother living? A Yes.
- Q Where does she live? A Out here about four miles.
- Q In Newton County? A Yes.
- Q How long has she lived in Newton County? A I don't know; she been here ever since I can remember.
- Q Do you live with your mother's mother? A Yes.
- Q How long have you lived with her? A Ever since I was a little bit girl.
- ✓ Q What is her name? A Lucy Williamson.
- Q Has she a Choctaw name? A I don't know.
- ✓ Q Is she a full blood Choctaw? A Yes.
- Q About how old is she? A I don't know.
- Q Do you think she is as old as your mother's father? Would be if he were living now? A I don't know.
- Q Has she ever been in Indian Territory? A No.
- Q Do you know the names of any of your mother's grand parents?
- A No.
- Q Has Lucy Williamson been before the Commission this year? A Yes, at Meridian.
- Q Are you married? A No.
- ✓ Q This application, then, is for yourself only? A Yes.
- Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A No.
- Q Did you or any one for you ever make application to the Choctaw tribal authorities in Indian Territory to be admitted or enrolled as a member of that tribe? A I don't know.
- Q If anyone ever made such an application for you, you never knew of it? A No.
- Q Did you or any one for you in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress approved June 10, 1896?
- A I don't know.
- Q You didn't make any application for yourself, of course, for you were too young; do you know whether any one else ever made such an application for you? A I don't know.

Susan Farmer, 3.

Q Have you ever been admitted to citizenship in the Choctaw Nation, Indian Territory, by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court for Indian Territory? A I don't know.

Q Have you ever made any application of any description, prior to this time, or has anyone ever made such an application for you, to either the Choctaw tribal authorities, or the United States authorities, to be admitted or enrolled as a citizen of the Choctaw Nation? A I don't know.

Q Wasn't an application made for you in February, 1899? A Yes, somebody made application.

he

The records of the Commission show that on February 8th, 1899, application was made for this applicant at Decatur, Mississippi, for identification as a Mississippi Choctaw, her name appearing upon Mississippi Choctaw Card, Field Number 451; also upon page 97 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes, to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of article 14 of the treaty of Dancing Rabbit Creek, being number 1631 thereon.

Q Is this application made for you in 1899, the only application that has ever been made for you? A That is the only one I know of.

Q Do you appear before the Commission at this time for the purpose of making claim rights in the Choctaw lands in Indian Territory under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A Yes.

Q Do you understand that 14th article of the treaty of Dancing Rabbit Creek? A I don't know.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, between the United States Government and the Choctaw tribe of Indians. At the time this treaty was made, the Choctaws lived here in Mississippi and along the western edge of Alabama. The object of this treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama to the new country west of the Mississippi River, a portion of which is now occupied by the main body of the Choctaw tribe of Indians. At the time this treaty was made, some of the Choctaws were unwilling to move to the new country west of the Mississippi River, but preferred to remain here, and for the benefit of those who preferred to remain here, the fourteenth article was put into the treaty. That 14th article is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section

Susan Farmer, 4.

of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you think you understand that 14th article now? A Yes.

Q Did any of your ancestors ever comply or attempt to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek, or ever receive any benefits thereunder? A I never heard of it if they did.

Q Were any of your ancestors living in the old Choctaw nation here in Mississippi and Alabama in the year 1830, when this treaty was made? A I don't know.

Q Did any of your Choctaw ancestors own an improvement here at that time? A I don't know.

Q Were any of your Choctaw ancestors recognized members of the Choctaw tribe of Indians here at that time? A I don't know.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek, signify to the United States Indian Agent for the Choctaws here in Mississippi, their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors ever claim or receive any land here in Mississippi from the United States Government under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A I don't know.

Q Did any of your Choctaw ancestors ever receive any land here in Mississippi from the United States Government under the provisions of any other article of the treaty of Dancing Rabbit Creek than the 14th article, or under the supplement to that treaty? A I never heard of it if they did.

Q Did any of your Choctaw ancestors remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A I don't know.

In accordance with the provisions of article 14 of the treaty of Dancing Rabbit Creek, the Government of the United States directed an agent here in Mississippi to register the names of such Choctaws as might desire to remain here and become citizens of the States. The records of the Government show that this agent failed to record and report to the Government the names of many Choctaws who did in fact signify to him their intention to remain and become citizens of the States. On this account, the Government, at its public land sales, in many instances, sold land upon which Choctaws lived and had improvements.

Susan Farmer, 5.

and which they supposed they would receive from the Government under the provisions of this fourteenth article of the treaty of 1830. This caused a great deal of complaint among the Indians, and the matter was finally brought to the attention of Congress, and Congress passed an Act which was approved on the third day of March, 1837, providing for the appointment of a commission whose duty it should be to come down here to Mississippi and hear the cases of Choctaws who claimed that they had complied in all respects with the provisions of article 14 of the treaty of 1830, but that their land had been sold by the Government. This commission was duly appointed by the President, and the commissioners came down here to Mississippi, and heard a few of these Choctaw cases, but in the time allowed them by the Act of Congress under which they were appointed, and a subsequent act providing for the continuance of this commission, approved February 23, 1838, they were unable to dispose of but a comparatively small number of these cases; it therefore became necessary for Congress to make further provision whereby the remainder of these Indians might be given a hearing, so another Act of Congress was passed on the 23rd day of August, 1842, providing for the appointment of another commission to come down here and finish up this work. This commission was duly appointed by the President, and the commissioners came down here and heard a great many more of these cases.

Q Did any of your ancestors appear before either one of these commissions and attempt to establish their rights under article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, but that his land had been sold by the Government, he should be entitled to select in lieu thereof, land elsewhere in Mississippi, or in Alabama, or Louisiana, or Arkansas, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors ever receive any of this scrip from the United States Government under this Act of Congress? A I don't know.

Q So far as you know, did any of your ancestors ever receive any benefits as Choctaw Indians? A No.

Q So far as you know, were any of your ancestors ever recognized members of the Choctaw tribe of Indians? A No.

Q You are sure that none of your ancestors ever got any land from the Government here in Mississippi, are you? A I don't know.

Q Do you know anyone living who would likely know as to whether any of your ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek, or ever received any benefits thereunder? A I don't know.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek, or ever received any benefits thereunder?

Susan Farmer, 6.

- A Not that I know of.
- Q Have you any witnesses here to-day you want to introduce in your case? A No.
- Q Any written evidence of any kind you want to offer? A None.
- Q Are there any further statements you want to make? A None.
- Q Have you any brothers or sisters living? A Yes.
- Q Are any of them older than you? A No.
- Q All younger? A Yes.
- Q What are the names of your brothers and sisters who are now living?
- A Frank, Sally, Leon and Elizabeth.
- Q Is that all? A Yes.
- Q Did your father ever have any brothers? A Yes.
- Q Are any of them living now? A Yes.
- Q How many? A Solomon, Silman.
- Q Is that all of your father's brothers? A Wilson Farmer and Thomas Farmer.
- Q Any other brothers? A That's all.
- Q They are living in Newton County? A Two of them live in Scott County.
- Q Are they all married? A Two married; one aint married.
- Q What is the name of Solomon's wife? A Louise.
- Q Is she a full blood Choctaw? A Yes.
- Q Solomon lives in Scott County or Newton County? A Here.
- Q What is the name of Silman's wife? A He is the one that is not married.
- Q What is the name of Thomas's wife? A All I know is just Choctaw name- Ah-ya-ha-na.
- Q Where do they live? A Scott County.
- Q Is Wilson married? A Yes, but they separated.
- Q What is his wife's name? A I can't remember her name.
- Q Where does Wilson live? A Scott County.
- Q Have any of these people been before the Commission? A Wilson went there.
- Q Did your father ever have any other brothers besides these four?
- A I don't know; that 's all I know.
- Q Did your father ever have any sisters? A Yes.
- Q How many? A Three living here in Newton County, and two down in Scott County.
- Q What is the name of your father's oldest sister? A A-len-te-mah.
- Q Has she an English name? A I don't know.
- Q Is she married? A Yes, but dead.
- Q What was her husband's name? A Bob Lee Smith.
- Q Is her English name Bicey? A Yes, I reckon so.
- Q When did Bob Lee Smith die? A Last spring.
- Q What is the name of the next one of your father's sisters?
- A Chitto.
- Q What other name? A John Dixon's wife.
- Q Was she ever called Mary? A I reckon so; I never heard that before.
- Q Have they any children? A Yes.
- Q What are their names? A Leanna, Sarah Jane and Linnie.
- Q They have not been before the Commission this year, have they?
- A No.
- Q What is the name of your father's next sister? A Ma-te-ha-nah.
- Q Is she married? A Yes.

Susan Farmer, 7.

- Q What is her husband's name? A George Smith.
Q Where do they live? A There close to my daddy's house.
Q In Newton County? A Yes.
Q About how old is Ma-to-he-nah? A I don't know.
Q Is she older than you are? A Yes.
Q Have they any children? A Yes.
Q What are their names? A Mamie, Sweeney
Q Did they ever have one named Peter? A Yes, that's son of George's wife, but ~~was~~ not George's child.
Q Did she ever go by the name of Sealy? A Yes.
Q What is the name of the next one of your father's sisters? A I don't know.
Q Do you know either one of the others' names? A I know one named Betsey.
Q Is Betsey married? A Yes.
Q What is her husband's name? A Jim Robertson.
Q Is he a full blood Choctaw? A Yes.
Q Where do they live? A Scott County.
Q Have they been before the Commission? A Yes.
Q Have they any children? A Yes.
Q What are their names? A Fronie, Mandy, Charley.
Q Is that all? A One named Thompson that died.
Q Did your father ever have any other sisters? A One more, but I don't remember her name.
Q She died? A Living - Alex's wife.
Q Alex what? A I don't know.
Q Where do they live? A Scott County.
Q Are any of your father's sisters dead? A Yes.
Q How many? A One, is all I recollect.
Q Did that one that is dead leave any children? A Yes.
Q Are any of those children living now? A Yes, one.
Q What is that child's name? A Boscoe.
Q Where does Boscoe live? A Scott County.
Q What is his other name? A I don't know.
Q What is his daddy's name? A I don't know.
Q How old is he? A 23.
Q Is he married? A Yes.
Q Do you know his wife's name? A Arbena.
Q Can't you think of his other name? A That's all I ever heard.
Q Has Boscoe been before the Commission? A No.
Q Did your mother ever have any ~~sisters~~ Brothers? A Yes.
Q How many? A Three.
Q Are they living now, all of them? A Yes, 3 living and one died.
Q Did the one that died leave any children? A Yes.
Q Are any of those children living now? A Wasn't but one child and its dead.
Q What is the name of the oldest one of your mother's brothers?
A Jim Robertson.
Q Where does he live? A Scott County.
Q Is he the same Jim Robertson who married your father's sister?
A Yes.
Q What is the name of the next of your mother's brothers? A Jeff Jackson.
Q A full brother of your mother? A Jeff, my mother full brother and sister.
Q Is Jeff married? A Yes.

Susan Farmer, 19.

Q What is his wife's name? A Martha.

Q Have they any children? A Yes.

Q How many? A Three.

Q What are their names? A Sam, Tom and Lottie.

Q Has Jeff been before the Commission, this year? A Yes.

Q What is the name of the other brother of your mother? A Willie Williamson.

Q Has he been before the Commission? A Yes.

Q Is he married? A Yes.

Q What is his wife's name? A Mollie.

Q Does he go by that any other name besides Williamson? A No, that's all I know.

Q Have they any children? A Yes.

Q How many? A Nancy, Lingun, Adeline Sistina; got a baby two months old but hasn't given that in.

Q Did your mother have any sisters? A All dead; never seen none of them.

Q Did any of them leave any children? A No.

In case you should see fit to offer any written evidence in support of this application, you will be permitted to do so within a reasonable time; in case you should desire to bring witnesses before us to give in their testimony, they may appear before us at any of the appointments of the Commission here in Mississippi this fall, or at the general office of the Commission in Muskogee, Indian Territory, and their testimony will be taken.

(This applicant is to all appearances a full blood Indian; she speaks and understands the Choctaw language, but very little English, the examination having been conducted almost entirely through a sworn Choctaw interpreter.)

R.S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 30th day of October, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Conehatta, Mississippi, this 30th day of October, 1901.

L. D. Mosley
Clerk U.S. Circuit Court
Southern District of Mississippi.

8

By *[Signature]*

Deputy.

Cow

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Susan Farmer for
identification as a Mississippi Choctaw, M.C.R. 3956.

.....D E C I S I O N.....

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
on October 30, 1901, by Susan Farmer for herself, under the follow-
ing provision of the act of Congress approved June 28, 1898, (30
Stats., 495):

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the
Choctaw lands under article fourteen of the treaty be-
tween the United States and the Choctaw Nation, concluded
September twenty-seventh, eighteen hundred and thirty,
and to that end may administer oaths, examine witnesses
and perform all other acts necessary thereto and make
report to the Secretary of the Interior."

From the evidence submitted in support of said application
it appears that the applicant is a full-blood Mississippi Choctaw
Indian.

Section forty-one of the act of Congress entitled "An Act
To ratify and confirm an agreement with the Choctaw and Chickasaw
tribes of Indians, and for other purposes," approved July 1, 1902,

-2-

(72 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Susan Farmer should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

APR 11 1903

COPY:

M.C.R. 3956

Muskogee, Indian Territory, April 11, 1903.

Mansfield, McMurray & Gernish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying Susan Farmer as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Susan Farmer as a Mississippi Choctaw and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED): *Tams Bixby.*

Registered.
Encl. 3956

Chairman.

COPY.

M.C.R. 3956

Muskogee, Indian Territory, April 27, 1903.

Bessie Farmer,

Conehatta, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED:

Lame Bixby.
Chairman.

Registered.

Enc. 3956

1459

No. 8956

For Identification as a Mississippi Choctaw.
Conehatta, Miss.

Date OCT 30 1901

Name Susan Farmer

Age 20

Blood full

Post Office, Conehatta, Miss.

Father: John Farmer L

Mother: Jennie " d

Claims through both parents.

(Claims for self only)

Children:

(See Miss. Choctaw card
file No 451. Appearance
2/8/99.)

Stenographer

R. S. Shook

Choctaw MCR 3957

Sally Taylor

See MCR 3958, 3997, 3998
3999

MCR 3957

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Sally Taylor, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of-

Sally Taylor, et al	M.C.R. 3987
Friday C. Hudson, et al	" 3988
Shedric Hudson, et al	" 3997
William Hudson, et al	" 3998
Emma Lewis, et al	" 3999

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case
of Sally Taylor, et al.

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Department of the Interior,
Commission to the Five Civilized Tribes,
Cochhatta, Mississippi, October 30, 1901.

In the matter of the application of Sally Taylor for the identification of herself, her two minor children and one minor step child as Mississippi Choctaws.

Sally Taylor, having been first duly sworn, upon her oath testified as follows:

Examination by the Commission.

- Q What is your name? A Sally Taylor.
- Q How much Choctaw blood do you claim to have? A Well, I don't know sir; half, I reckon.
- Q How old are you? A I don't know, sir; I expect I am about fifty six; I just have to sorter guess at my age.
- Q What is your post office address? A Prospect, Mississippi.
- Q Newton County? A Yes sir.
- Q How long have you lived in Newton County, Mississippi? A Part of last year and this year.
- Q Where did you live before that? A Neshoba; I was born in Newton County, but I was raised in Neshoba.
- Q Have you livdd in Neshoba and Newton Counties all of your life? A No sir.
- Q Where else did you live? A I lived in Scott County, and when I was small I stayed in Texas.
- Q How long did you live out there? A Just one year, as well as I can recollect.
- Q That's the only time you lived outside of the State of Mississippi? A Yes sir.
- Q Never lived in Indian Territory? A No sir.
- Q Were you a slave? A Yes sir.
- Q Is your father living? A I don't know sir.
- Q Do you know what his name is? A Well, I heard them say his name was Bill Isaac. I think that's what they said.
- Q Did he have any Choctaw blood? A Yes sir.
- Q How much? A I don't know sir, I never seen him; I just go by what I have heard others say.
- Q You don't know that he was your father? A No sir, I just heard others say.
- Q Who did you hear say that? A The Indians and other folks said so; its been so long since I heard it, I don't know who did say so.
- Q Did your mother ever tell you he was your father? A No sir, I was taken from my mother when I was three years old.
- Q What was your mother's name? A Judy Phelps.
- Q She was a slave was she? A Yes sir.
- Q Is she living? A No sir.
- Q Did she have any Choctaw blood? A I don't know sir. I don't know whether she did or not.
- Q How long since you have seen her? A Its been a long time. Before the war.
- Q Did you ever see her since you left her when you were three years old? A Yes sir. The man she belonged to, he died, and the property all had to be divided, and one drawed me. They just drawed darkies around. They went to Texas, and then another white man

Sally Taylor, et al., 2.

bought me back and sent a white man after me. Widow Jones; William Jones was her husband's name- he died when I was small.

Q You don't know how much Choctaw blood your father had - the man who is reputed to be your father? A They just told me he was Indian.

Q You never saw him and don't know anything about him? A No sir.

Q Do you know whether he was married to your mother? A I don't expect he was; Mr. You ask me so many questions; I don't know, you know; I was small; I don't know much about that, I don't have any idea.

Q Did you ever hear that he was, or was not, married to her?

A No sir, I never heard.

Q Did you ever hear that he wasn't married to her? A No sir.

Q You don't know whether he is living now or not? A No sir, I don't know. I never have seen him that I knows of; I expect this Choctaw out here could tell you more about him than I could.

Q He is your witness? A Yes sir. He knows more about that than I do.

Q Do you know where he lived during his entire life time? A No sir.

Q ~~KNOWS~~ nothing about his residence at all? A No sir.

Q Do you know the names of his parents? A No sir.

Q Do you know whether any other of his children are living besides you? A No sir.

Q Whether he ever had another wife? A I don't know that; I expect Lewis can tell you more than I could; but I know his father said he was my father, and the Choctaws used to claim him.

Q You never heard them say? A I have heard them say so; that they knowed my father.

Q Do you speak or understand the Choctaw language yourself? A No sir.

Q Are you married? A Yes sir.

Q Is your husband living? A Yes sir.

Q Have you been married more than once? A I have been married twice; that's why I am living in Newton County.

Q Have you any children by your present husband? A No sir.

Q What is your present husband's name? A Henry Taylor.

Q Has he any Choctaw blood? A No sir, not that I knows of.

Q You make no claim for him then? A No sir.

Q How many children have you, you say, under twenty one years of age, for whom you want to make application? A Well, I have got two of my own; I have got a little grand child living with me, but his mother is dead.

Q Is his father living? A Yes sir.

Q Is his father your son? A No sir, his mother was my daughter.

Q How long has she been dead? A Right years this last February.

Q Where does the father of this child live? A He lived down here close to Newton, but I have just had the child and raised him.

Q You got the child at the time of the death of its mother? A Yes sir.

Q Never has lived with its father? A No sir.

Q How old is the child? A He is 11 years old, going on 12.

Q Is the father married again? A Yes sir.

Q Has another family? A Just a wife.

Q No more children? A No sir.

Q Did he give the child to you? A Yes sir; he give it to me; I thought so much of my daughter what died; she died in the house with us, and I just told him he had better let us keep the child, and he let me keep it.

Q Have you ever been appointed guardian for the child by the Court? A No sir, but I can prove I raised it, and prove that its mother's

Sally Taylor, et al., 3.

dead.

Q Does the father of this child contribute to its support, or has he contributed at any time since its mother's death? A No sir.

Q How often does he come to see the child? A Well, I think he come to see it about seven years ago last spring.

Q Hasn't seen it since? A Well, he ~~was~~ saw it last winter; I sent him to Newton, and my husband carried it down there just for him to see.

I guess, under the circumstances, you will be permitted to make application for this child.

Q What is the name of this child? A Oscar Rush.

Q He is living with you at this time, is he? A Yes sir.

Q What is his father's name? A Leonard Rush.

Q Is he a negro? A Yes sir.

Q No Choctaw blood? A No sir.

Q You claim the child has 1/8 Choctaw blood then, do you? A Yes sir.

Q What is the name of the mother of the child? A Nandy Rush.

Q She was your own daughter? A Yes sir.

Q Did her father have any Choctaw blood? A No sir, he had some Creek blood.

Q Your daughter, then, got her Choctaw blood solely through you? A Yes sir.

Q What are the names of your children for whom you want to make application? A Wilmon Hudson.

Q How old is Wilmon? A He is eighteen.

Q The next one? A Judge Hudson.

Q How old is he? A Sixteen going on seventeen.

Q That's all the children you have under twenty one, for whom you want to make application? A Yes sir.

Q What is the name of the father of these two children? A Friday Hudson.

Q He had no Choctaw blood? A No sir.

Q He is dead? A Yes sir.

Q He was a slave was he? A Yes sir.

Q This application is for yourself, two minor children, and one minor grand child then? A Yes sir.

Q Are these two children of yours living with you now? A Well, they are over at Mr. Johnson's; they made a crop there.

Q But they live at home? A Yes sir.

Q Have they always lived in the State of Mississippi? A Yes sir.

Q Is your name, or the names of any of these three children to be found upon any of the Choctaw tribal rolls in Indian Territory? A I don't understand you.

Q By the tribal rolls, I mean lists or rolls of the names of Indians who belong to the Choctaw tribe of Indians in Indian Territory. I want to know whether your name is on any of these rolls or lists?

A I don't know.

Q Did you ever make application to the Choctaw tribal authorities in Indian Territory for yourself or any of these children to be admitted or enrolled as members of that tribe? A No sir.

Q Did you, in the year 1896, make application to this Commission for citizenship in the Choctaw Nation for yourself or any of these children, under the Act of Congress approved June 10, 1896? A No sir.

Sally Taylor, et al., 4.

Q Then, neither you nor any of these children have ever been admitted to citizenship in the Choctaw Nation, Indian Territory, by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court for Indian Territory, have you?

A No sir.

Q Have you ever made any application of any description prior to this time for yourself or any one of these children? A No sir.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article 14 of the treaty of Dancing Rabbit Creek?

A Yes sir.

Q Do you understand that 14th article of the treaty of Dancing Rabbit Creek? A I don't know; I don't expect I understand it.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, seventy one years ago, and over, between the United States Government and the Choctaw tribe of Indians. At the time this treaty was made, the Choctaws lived here in Mississippi and over in the western edge of Alabama. The object of that treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama, to a new country west of the Mississippi River, a portion of which is now occupied by the main portion of the Choctaw tribe of Indians. At the time this treaty was made some of the Indians were unwilling to leave this country and remove out west, and for the benefit of those who preferred to remain here, the 14th article was put into the treaty. An article is a sub-division of a part of a treaty. That fourteenth article is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months after the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q I have quoted to you the 14th article of the treaty of Dancing Rabbit Creek. Do you think you understand that 14th article? A No sir.

Q Well, I will try to make it plain to you? A Well, here; do you have to go there to live?

A I am not referring to that; you listen to what I am telling you,

Sally Taylor, et al., 5.

As I explained to you, this treaty was made, seventy one years ago, and some of the Indians at that time, didn't want to go out west, and they insisted that a provision be put in this treaty which would permit them to stay here, and for the benefit of those who wanted to stay here, this 14th article was put in the treaty. Now it starts out to that "Each Choctaw head of a family being desirous to remain, shall do so --"

A Stay here?

If a Choctaw head of a family wanted to stay here, he should be permitted to do so by signifying his intention to the agent. Now, that is, the Government had an agent here, and the Choctaws must let this agent know they wanted to stay here within six months from the time this treaty was ratified. By a ratification of the treaty, I mean when the treaty was finally agreed to between the United States Government and the Choctaw tribe of Indians, which was on the 24th day of February, 1831. Therefore, if a Choctaw head of a family, living here at that time, in 1830, wanted to stay here in Mississippi, he must let the agent know that he wanted to stay here within six months after the treaty was ratified, or, six months from February 24, 1831. Then, he would be entitled to a reservation of one section of six hundred and forty acres of land, a piece of land a mile square, and if he had a child in his family over ten years of age, that child would be entitled to three hundred and twenty acres, or a half section of land, and if he had children under ten years of age, each one of those children would be entitled to a quarter section, or one hundred and sixty acres of land. That was to be given to them here in Mississippi by the Government. That, the Government was to give to the Choctaws who wanted to stay here. Now, this land must include the improvement of the head of the family; that is, these Indians at that time had little patches in cultivation here, through this section of the State, little huts and houses that they lived in; that reservation must include their improvement. Now, he was further required to live on that land for five years after this treaty was ratified; that is, five years from the 24th day of February, 1831, and after he had done that, he was entitled to a deed or patent to the land. In other words, the Government would give him a deed to it, and it would be his to dispose of at his own pleasure. Now, that fourteenth article further said, "Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity." Now, the Choctaw annuity is money paid to the Choctaws each year under treaty provisions. Now, these persons, the treaty says, persons who claim under this article, that is, this fourteenth article, and stayed here in Mississippi and took land, shall not lose the privilege of a Choctaw citizen, but if they ever remove, that is, if they ever go out to the new country west of the Mississippi River, are not to be entitled to any portion of the Choctaw

Sally Taylor, et al., 6.

annuity; that is, they shall not get any of this money which is paid out each year by the Government to the Choctaws.

Q Do you think you understand that now? A No, sir, I never would understand it.

Now, these requirements of the fourteenth article that I have told you about refer to Indians living here seventy one years ago; way back here in 1830, when this treaty was made.

Q Do you think you understand that now? A Yes sir.

Q Did any of your Choctaw ancestors comply or attempt to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know, sir; I couldn't tell you ~~know~~ nothing about that.

Q Were any of your Choctaw ancestors living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830, when this treaty was made? A I don't know sir.

Q Did any of them own an improvement here at that time? A I don't know sir.

Q Were any of them recognized members of the Choctaw tribe of Indians here at that time? A I couldn't tell you.

Q Did any of them remove from the old Choctaw Nation, here in Mississippi and Alabama, to the present Choctaw Nation in Indian Territory, at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A I don't know.

Q Did any of them, within six months after the treaty of Dancing Rabbit Creek was ratified, signify to the United States Agent for the Choctaws here in Mississippi, their intention to remain in Mississippi and become citizens of the States? A I don't know sir; I couldn't tell you anything about that.

Q Did any of them ever claim or receive any land here in Mississippi from the United States Government under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know that.

Q Did any of them ever claim or receive any land here in Mississippi from the United States Government under the provisions of any other article of the treaty of Dancing Rabbit Creek than the 14th article or under the supplement to that treaty? A I don't know sir.

Q You never heard, then, of any of your ancestors getting any land from the Government here in Mississippi? A No sir.

Q Did you ever hear of any of them getting any money from the Government? A No sir.

In accordance with the provisions of article 14 of the treaty of Dancing Rabbit Creek, the Government of the United States directed an agent here in Mississippi to register the names of such Choctaws as might desire to stay here and become citizens of the States under that article. The records of the Government show that that agent failed to register and report to the Government the names of many Indians who did in fact signify to him their intention to remain and become citizens of the States under this fourteenth article, and on this account, the Government, at its public land sales, here in Mississippi, in many

Sally Taylor, et al., 7.

instances, sold land upon which Choctaws lived, and had improvements, and which they supposed they would receive from the Government under the 14th article of the treaty. This, of course, caused a great deal of ~~trouble~~ complaint among the Indians, and the matter was finally brought to the attention of Congress, and Congress passed an Act which was approved on the 3rd day of March, 1837, providing for the appointment of a Commission whose duty it should be to come down here to Mississippi and hear the cases of Choctaws who claimed that they had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, but that their land had been sold by the ~~Choctaw~~ Government. This commission was duly appointed by the President, and the commissioners came down here to Mississippi and heard a few of these cases, but in the time allowed them by the Act of Congress under which they were appointed, and a subsequent Act of Congress approved February 22nd, 1838, they were unable to dispose of but a comparatively small number of these cases and it, therefore, became necessary for Congress to make further provision whereby the remainder of these Indians down here might be given hearings, and so another Act of Congress was passed, which was approved on the 23rd day of August, 1842, providing for the appointment of another commission to come down here and finish up this work. This second commission was duly appointed by the President and the commissioners came down here in the early forties and heard a great many more of these Choctaw cases.

Q Did any of your ancestors appear before either of these commissions and attempt to establish their rights under article 14 of the treaty of Dancing Rabbit Creek? A I don't know sir.

The Act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that his land had been sold by the Government, he should be entitled to select, in lieu thereof, land elsewhere in Mississippi, or in Louisiana, Alabama, or Arkansas, from vacant Government land, and should be given a certificate to that effect; these certificates were called scrip.

Q Did any of your ancestors ever receive any of this scrip from the United States Government under the Act of Congress? A No, sir; I don't know; I can't tell you anything about that.

Q Do you know anyone living who would likely know whether any of your ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek, or ever received any benefits thereunder? A Know of any one?

Q Yes, who would know about that? A I don't know sir.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors ever complied or

Sally Taylor, et al., 8.

attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek, or ever received any benefits thereunder?

A No sir.

Q Have you any written evidence you want to offer at this time -- any papers of any kind? A No sir.

Q Have you any witnesses here to-day you want to introduce in support of your application? A Little Lewis,

Q Any others? A No sir.

Q What do you expect to prove by Little Lewis? A Well, I just expect to prove by him that my daddy was an Injun.

Q Is that all? A Yes sir, that's all I knows of.

Q Little Lewis is a full blood Choctaw is he? A Yes sir.

Q Are there any further statements you want to make? A No sir.

Q Have you any children over twenty one years of age? A Yes sir.

Q How many? A Eight.

Q Give us their names, the oldest first? A Charley.

Q Charley what? A Hudson.

Q About how old is he? A I will declare I don't know, sir; I couldn't tell exactly - about forty one.

Q Where does he live? A In Neshoba County.

Q Has he been before the Commission? A He is here to-day.

Q Is he married? A Yes sir.

Q What is his wife's name? A Eliza/

Q What is the next child's name? A Jim Hudson.

Q Where does he live? A He lives in Hind's County.

Q Has he been before the Commission? A No sir.

Q What is his wife's name? A Bessie.

Q What is the name of the next one of your children? A Ophelia.

Q Is she married? A Yes sir.

Q What is her husband's name? A Dock Willis.

Q Where do they live? A Scott County, near Forest.

Q Has she been before the Commission? A No sir.

Q What is the name of the next one of your children? A Shedrick Hudson.

Q Where does he live? A In Scott County.

Q Is he married? A Yes sir.

Q What is his wife's name? A Mollie.

Q Has he been before the Commission? A No sir.

Q What is the name of the next one of these children? A William.

Q Where does he live? A In Scott County, near Sebastopol.

Q What is his wife's name? A Lula.

Q Have they been before the Commission? A No sir.

Q What is the name of the next one of your children? A Emma Lewis.

Q What is her husband's name? A Henry Lewis.

Q Where do they live? A In Newton County.

Q Have they been before the Commission, either of them? A No sir.

Q What is the name of the next of your children? A Belle Greer.

Q What is her husband's name? A Anderson Greer.

Q Where do they live? A Near Forest, in Scott County.

Q Have they been before the Commission? A No sir.

Q What is the name of the next one of your children? A Mattie Carter.

Q Where does she live? A She lives in Scott County, near Sebastopol.

Q What is her husband's name? A Amsi Carter.

Sally Taylor, et al., 9.

Q Have they been before the Commission? A No sir.

Q What is the name of the next one of your children? A That's all.

Q Did you ever have any other children? A I have got two dead, one besides that little boy's mother I was telling you about.

Q All of those that are over twenty one years, you will understand, they will have to appear in person and make their own applications?

A Yes sir.

Q Did you ever have any full brothers and sisters? A No sir.

You will be allowed a reasonable time in which to offer proper written evidence in support of this application. The Commission would be glad, however, for you to file such evidence in thirty days from this date, if you can. If you should discover other witnesses whose testimony you desire to have taken before the Commission, they may appear before the Commission at any one of its appointments here in Mississippi this fall and their testimony will be taken, or they may appear within a reasonable time before the Commission at its office in Muskogee, Indian Territory, and their testimony will be taken.

(This applicant has the appearance of being possessed of Indian blood. Her hair is straight and black, her complexion rather a copper color, and her features are those of an Indian. She does not speak or understand the Choctaw language.)

(Applicant excused.)

Little Lewis, having been first called, and duly sworn as an witness in behalf of the above named applicant, upon his oath testified as follows:

Examination by the Commission.

Q What is your name? A Little Lewis.

Q How old are you? A Seventy eight.

Q What is your post office address? A Cooksey, Mississippi, Newton County.

Q Are you a full blood Choctaw Indian? A Yes sir.

Q How long have you lived in Newton County? A I been in -- twenty eight years.

Q Where did you live before that? A Neshoba County.

Q You were born and raised there? A Yes, I was born in Neshoba County, but I live in Scott for a couple of years, and then I come back to Neshoba County and stay a while, and then I come to Newton County.

Q Are you acquainted with the applicant, Sally Taylor? A Yes.

Q How long have you known her? A Well, I have been knowing it ever since about twelve years old, I reckon.

Q Are you related to her in any way - any kind of? A No, aint no kin to me.

Q Are you interested in any way in the result of this case? A No.

Q Not interested? A No.

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Q Did you know her father and mother? A I didn't know her mother. I know his daddy, though.

Q Now, this woman, this applicant, Sally, was a slave wasn't she?

Q Yes.

Q Who owned her? A Old Billy Jones raised her.

Q Where did he live? A He lived in Neshoba County.

Q Her mother was a slave too wasn't she? A I don't know his mother at all.

Q You don't know whether she had any Choctaw blood, or not? A No, I don't know, but his daddy.

Q What was the name of the daddy of this applicant? A William Ateko.

Q Is that all the name he ever had? A That's all I know of.

Q When did he die? A I don't know when he died. I left Neshoba County go into Scott County, and I stay a couple of years; don't know where he is.

Q Never have seen him? A They said, though, he died.

Q How long since you have seen him? A Oh! good while; I don't know how many years now, hardly.

Q Thirty years you think? A I expect about thirty five.

Q Was he a full blood Choctaw? A Yes.

Q Was he a younger man than you, or older? A Older than me; when I boy then, he tolerable old man.

Q Did he always live here in the State of Mississippi? A Yes sir.

Q How do you know he is the father of this applicant? A Well, I don't know that his daughter, but I hear people talk about it, and I know his daddy though, and that his daughter; that's the way I find out about it.

Q You just heard that she was his daughter? A Yes; some of them told us, William daddy.

Q Who told you that William was the daddy of this applicant? A Old Choctaw; all died now.

Q Do you remember the names of any of them? A No, sir.

Q Did you ever hear William himself say this was his daughter?

A No, he didn't say so himself.

Q Do you know whether William was married to the mother of this applicant? A No, sir; never married.

Q Never married at all? A No sir.

Q Did they ever have any other children besides this girl? A No,

Q She is the only child? A Yes.

Q Did they ever live together as man and wife? A I don't know whether he is or not; I never seed it.

Q Did you ever hear that they did? A No, I don't know that they ever lived together at all.

Q All you know about his being the father of this child is that it was generally understood among the Choctaws in that community that he was the father of this girl? A Yes.

Q You never heard any one say that they were married or lived together as man and wife? A No sir.

Q You have been before the Commission at Meridian, have you? A Yes, sir.

Q And you understand this fourteenth article of the treaty of Dancing Rabbit Creek? A Not much.

Q You think not? A No sir.

Sally Taylor, et al., 11.

Q You understand the treaty, when it was made, and all about that - between the Choctaws and the Government, the treaty of Dancing Rabbit Creek? A Yes.

Q Now, the fourteenth article is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you think you understand that fourteenth article? A No, sir; I guess I don't understand that at all.

The fourteenth article of the treaty of Dancing Rabbit Creek is here interpreted to the witness by official interpreter, Oscar Billey.

Q

Q Do you understand that now? A Yes.

Q Do you know whether the father of this applicant had any English name besides William? A No sir.

Q Wasn't ever called Bill Isaac? A No sir, I think not.

Q You never heard of him being called Bill Isaac? A No, sir.

Q Do you know whether he or any of his ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A I don't know.

Q Do you know whether he was living here in 1830, when this treaty was made? A I don't know.

Q Do you know whether he owned an improvement here at that time?

A No sir.

Q Do you know whether he was a recognized member of the Choctaw tribe of Indians here at that time? A Yes.

Q He was a recognized member? A Yes.

Q What do you mean by his being a recognized member of the Choctaw tribe of Indians at that time? What do you understand that to mean?

A They just seen him that's all.

Q You supposed by the fact that he was a full blood Choctaw and lived here among the Indians that he was a recognized member of the tribe is that your idea? A Yes.

Sally Taylor, et al., 12.

Q Did he remove from the old Choctaw Nation here in Mississippi and Alabama, to the present Choctaw Nation, in Indian Territory, at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A No.

Q He never went to Indian Territory? A No sir.

Q Did he, within six months after the treaty of Dancing Rabbit Creek was ratified, signify to the United States agent for the Choctaw here in Mississippi, his intention to remain in Mississippi and become a citizen of the States? A I don't know.

Q Did he ever claim or receive any land here in Mississippi from the United States Government under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

Q Did he ever own any land here in Mississippi? A No.

Q Did he ever get any money from the United States Government?

A I don't know whether he got it.

Q Do you know whether he ever got any land from the Government of the United States under the provisions of any other article of the treaty of Dancing Rabbit Creek than the fourteenth article, or under the supplement to that treaty? A I don't know.

In accordance with the provisions of article 14 of the treaty of Dancing Rabbit Creek, the Government of the United States directed an agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain here and become citizens of the States, under that article. The records of the Government show that that agent failed to register and report to the Government the names of any Indians who did in fact signify to him their intention to remain and become citizens of the States, and on this account, the Government, at its public land sales, in many instances sold land upon which Choctaws lived and had improvements, and which they supposed they would receive under the provisions of article 14 of the treaty. This action of the Government in selling their lands, caused a great deal of complaint among the Indians, and the matter was finally brought to the attention of Congress, and Congress passed an Act which was approved on the third day of March, 1837 providing for the appointment of a commission whose duty it should be to come down here to Mississippi and hear the cases of Choctaws who claimed that they had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, but that their land had been sold by the Government. This commission was duly appointed by the President and the commissioners came down here to Mississippi and heard a few of these Choctaw cases, but in the time allowed them by the Act of Congress under which they were appointed, and another Act of Congress approved February 22, 1838, providing for the continuance of this commission, they were unable to dispose of but a comparatively small number of these cases, and it therefore became necessary for Congress to make provision whereby the remainder of these Indians might be given hearings, so another Act of Congress was passed, which was approved on the 23rd day of August, 1842, providing for the appointment of another commission, whose duty

Sally Taylor, et al., 13.

it should be to come down here and finish up the hearing of these cases.

Q Did the father of this applicant, or any of his ancestors ever appear before either of these commissions and attempt to establish their rights under the the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A I don't know; I was little boy.

Q You remember when these commissions were here? A No, I didn't hear.

The act of Congress approved August 23, 1842, provided in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that his land had been sold by the Government, he should be entitled to select, in lieu thereof, land elsewhere in Mississippi, or in Louisiana, Alabama, or Arkansas from vacant Government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did the applicant, or any of his ancestors, ever receive any scrip from the United States Government under this Act of Congress? A I don't know.

Q Do you know any one who would likely know as to whether the father of this applicant, or any of his ancestors, ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, or ever received any benefits under that article? A No.

Q Are there any further statements you want to make in regard to this application? A None.

Q So far, as you know, did the father of this applicant ever receive any benefits whatever as a Choctaw Indian? A No, I don't know.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above entitled cause on the 30th day of October, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Natchez, Mississippi, this 1st day of Nov November, 1901.

L. D. Moseley
Clerk U.S. Circuit Court,
Southern District of Mississippi.

By *[Signature]*

Deputy.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Conehatta, Mississippi, November 1, 1901.

In the matter of the application of Sally Taylor, et al, for identification as Mississippi Choctaws, heard at Conehatta, Mississippi, October 30, 1901.

John McKee, called as a witness on behalf of applicants, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A John McKee.
Q How old are you? A I am about seventy four.
Q What is your post office address? A Beech Spring, Neshoba county Mississippi.
Q How long have you lived in Neshoba county? A I have been living there all but about three months since 1848.
Q What is your occupation? A Farming.
Q Are you acquainted with the applicant, Sally Taylor? A I am.
Q Is she any relation to you? A No, no kin.
Q Are you interested in any way in the result of her application for identification as a Mississippi Choctaw? A No, none at all.
Q How long have you known the applicant? A I have known her since I reckon about 1855.
Q About how old was she when you first became acquainted with her? A She was about eight or ten years old.
Q Was she a slave? A Her mother was and she was too. She belonged to my wife's folks.
QX Were you acquainted with her mother? A Yes, I have seen her.
Q Did she have any Choctaw blood? A Not that I know of.
Q What was she? A Mulatto woman.
Q Do you know who the father of this applicant was? A I do not, I know they called her half Indian but whether she was or not, I don't know.
Q You refer to the applicant Sally? A Yes.
Q She was generally understood to be half Indian? A Yes.
Q Do you know who her father was? A No.
Q Do you know whether her mother was ever married to an Indian? A No.
Q Do you know whether she ever lived with an Indian as his wife? A I do not know.
Q What statement do you desire to make in regard to this applicant? A I don't know anything about her, except that people said her daddy was an Indian.
Q What do you mean by people saying that--do you mean it is generally understood in the neighborhood? A Generally understood where she was born. I know we always thought there was Injun blood in her by hearsay, not knowing at all.
Q You know nothing as to whether any of her ancestors ever complied with the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A No sir, I don't know.
Q Did this applicant ever own any land in Mississippi that she got from the government? A No sir.
Q And you don't know whether her father did or not? A No, I don't know who her father was.
Q You couldn't swear that she is half Choctaw? A No, I wouldn't swear it.

Sally Taylor-et al-----2.

Q There is no further statement you want to make in regard to this case? A No sir.

Q Did she always live in Neshoba county? A No sir, I think she was in Texas when she was a child. They carried her out there and brought her back.

Q Do you know whether she ever lived in Indian Territory? A I know she didn't, but I couldn't swear it. I am satisfied she didn't.

Q She has lived in Neshoba county ever since she was a child? A Yes only that time she moved to Texas when she was a little girl.

Q Do you know whether she has ever been recognized as a member of the Choctaw tribe of Indians or anything of that kind? A No sir.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 1st day of November, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Coshhatta, Mississippi, this 2nd day of November, 1901.

L. B. Moseley

Clerk U. S. Circuit Court, Southern
District of Mississippi.

By *J. M. M.*

Deputy.

J. F. M.
C. v. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of Sally Taylor, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of-

Sally Taylor, et al	M. C. R. 3987
Friday C. Hudson, et al	" 3988
Shedrie Hudson, et al	" 3997
William Hudson, et al	" 3998
Anna Lewis, et al	" 3999

--: D E C I S I O N :--

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Sally Taylor for herself and her two minor children, Wilmon and
Judge Hudson, and for her grandchild, Oscar Rush; by Friday C. Hud-
son for himself and his four minor children, Alma, Savannah, Charley,
and Hunter Hudson; by Shedrie Hudson for himself and his minor child,
William Hudson; by William Hudson for himself and his minor child,
Sylvester Hudson, and by Anna Lewis for herself and her minor child,
Willie Lewis, under the following provision of the act of Congress
approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine

the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one William Atoke (or Bill Isaac), who is alleged to have been a full blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

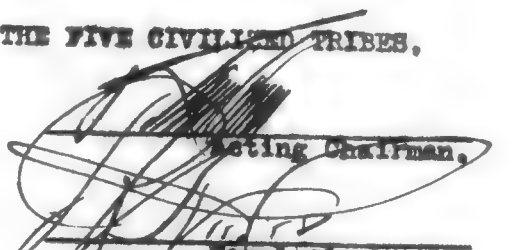
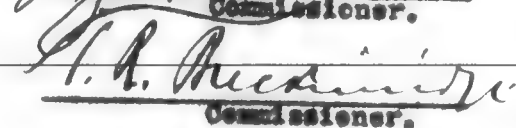

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said William Atoke, or any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to

--2--

comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (8 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sally Taylor, Wilmon Hudson, Judge Hudson, Oscar Rush, Friday C. Hudson, Alma Hudson, Savannah Hudson, Charley Hudson, Hunter Hudson, Shedd-rick Hudson, William Hudson (1), William Hudson (2), Sylvester Hudson, Emma Lewis and Willie Lewis, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


 Acting Chairman.

 Commissioner.

 Commissioner.

Muskogee, Indian Territory.

AUG -6 1902

COPY.

M.C.R 3957

Muskogee, Indian Territory, August 6, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Sally Taylor, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of August 6th, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Sally Taylor, et al.,	M.C.R. 3957
Friday C. Hudson, et al.,	" 3958
Shedric Hudson, et al.,	" 3997
William Hudson, et al.,	" 3998
Emma Lewis, et al.,	" 3999

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

Tame Bixby

Acting Chairman.

Through the
Commissioner of Indian Affairs.

COPY.

M.C.R. 3957

Muskogee, Indian Territory, August 6, 1902.

Sally Taylor,

Prospect, Mississippi.

Dear Madam:

You are hereby advised that on the 6th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sally Taylor, et al., embracing the following applications for identification as Mississippi Choctaws:

Sally Taylor, et al.,	M.C.R.	3957
Friday C. Hudson, et al.,	"	3958
Shedrick Hudson, et al.,	"	3997
William Hudson, et al.,	"	3998
Emma Lewis, et al.,	"	3999

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 STAT., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sally Taylor, Wilmon Hudson, Judge Hudson, Oscar Rush, Friday C. Hudson, Alma Hudson, Savannah Hudson, Charley Hudson, Hunter Hudson, Shedrick Hudson, William Hudson (1), William Hudson (2), Sylvester Hudson, Emma Lewis and Willie Lewis, as Choctaw Indians entitled to

Sally Taylor-2

rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED

Tamc Dixby.

Acting Chairman.

Registered.

COPY.

M.C.R. 3957

Muskogee, Indian Territory, August 6, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 6th day of August, 1902 the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sally Taylor, et al., embracing the following applications for identification as Mississippi Choctaws:

Sally Taylor, et al.,	M.C.R. 3957
Friday C. Hudson, et al.,	" 3958
Shedric Hudson, et al.,	" 3997
William Hudson, et al.,	" 3998
Emma Lewis, et al.,	" 3999

These applications were made under the provisions of the act of Congress of June 18, 1898 (30 Stats., 425), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sally Taylor, Wilmon Hudson, Judge Hudson, Oscar Rush, Friday C. Hudson, Alma Hudson, Savannah Hudson, Charley Hudson, Hunter Hudson, Shedrick Hudson, William Hudson (1), William Hudson (2), Sylvester Hudson, Emma Lewis and Willie Lewis, as Choctaw Indians entitled to

N. VOM & C-2

rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED

Tamc Pixby.

Acting Chairman.

C o p y.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

Land
47496-1902.

Washington, Oct. 14, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made August 6, 1902, by the Acting Chairman of the Commission to the Five Civilized Tribes forwarding the record in the matter of the consolidated case of Sally Taylor, et al., applicants for identification as Mississippi Choctaws claiming rights under the provisions of the fourteenth article of the treaty of September 27, 1830.

Sally Taylor applies for the identification of herself and her two minor children, Wilmon and Judge Hudson, and for her grandchild, Oscar Rush; Friday C. Hudson for himself and his four minor children, Alma, Savannah, Charley and Hunter; Shedric Hudson for himself and his minor child, William; William Hudson for himself and his minor child, Sylvester; and Emma Lewis for herself and her minor child, Willie.

August 6, 1902, the Commission held that the applicants ~~were not entitled to identification as Mississippi Choctaws.~~

Descent is claimed from William Atoko, or Bill Isaac, father of Sally Taylor.

The applicants are not full blood Choctaw Indians, and an examination of the records of this office fails to show that any one

--2--

by the name of William Atoko or Bill Isaac received a patent to land under the provisions of the fourteenth article of the treaty of 1830, or complied or attempted to comply with the provisions of said article or applied to the commissions appointed under the provisions of the Acts of March 3, 1837 and August 23, 1842 for an adjudication of any rights he may have had as a Choctaw Indian.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications, be affirmed.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner

GAV
D

3 inclosures.

D.C. 19739.

C o p y.

WHR

DEPARTMENT OF THE INTERIOR.

W a s h i n g t o n, October 20, 1902.

I.T.D.6365-1902.

LRS.

The Commission

to the Five Civilized Tribes.

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the applications of Sally Taylor, for the identification of herself and two minor children, Wilmon and Judge Hudson, and for her grandchild, Oscar Rush; Friday C. Hudson, for himself and his four minor children, Alma, Savannah, Charley and Hunter Hudson; Shedric Hudson for himself and his minor child, William Hudson; William Hudson for himself and his minor child, Sylvester Hudson, and Emma Lewis for herself and her minor child, Willie Lewis, as Mississippi Choctaws, transmitted with your letter of August 6, 1902, you having on that date rejected the applications because you found the testimony insufficient to enable you to determine the identity of the parties as Choctaw Indians entitled to rights in the Choctaw Nation under the 14th article of the treaty of 1830.

The applicants admit that they are not full blood Choctaw Indians. It does not appear from the testimony, or from the Mississippi Choctaw records in the possession of your Commission, or

--2--

from the records of the Indian Office as shown by the report of the Acting Commissioner of Indian Affairs of October 14, 1902, that the alleged ancestors through whom the applicants claim, ever complied or attempted to comply with the provisions of said 14th article, or ever presented a claim to rights therein to either of the commissions authorized to adjust such claims by the acts of March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

The Acting Commissioner recommends that your decision be concurred in.

Finding no reason to disturb your decision it is hereby affirmed.

A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

E. A. HITCHCOCK,

Secretary.

1 inclosure.

MCR 3957

^{COPY}
Muskogee, Indian Territory, November 8, 1902.

Sally Taylor,

Prospect, Mississippi.

Dear Madam:

You are hereby advised that on the 20th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sally Taylor, et al., of which decision you were advised by registered mail on the 6th day of August, 1902.

Respectfully,

(SIGNED)

Tamie Diney.

Acting Chairman.

H.C.R. 3857

COPY.

Muskogee, Indian Territory, November 8, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 20th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sally Taylor, et al., of which decision you were advised by mail on the 6th day of August, 1902.

Respectfully,

W. G. NEP

Tamc Dixey.

Acting Chairman.

Consolidated Case
of Sally Taylor
et al

REFER TO M.C.R. 3957

N. FREEDMEN ROLL.

NAME OF MOTHER

FATHER'S OWNER

No.

DISTRICT

YEAR

FATHER'S TRIBAL ENROLLMENT

Bill Isaac or
William Atoka, ?
and
Judy Phelps, Mass, dead

MCK
3957

Sally Taylor, 56, 1/2
husband

- ① Friday Hudson, Creek, Mass, dead
② Henry Taylor, Living

MCK
3958

Friday C. Hudson, 40, 1/2

wife
Elija Hudson, negro

Charley Hudson ?

Jim Hudson,

wife
Bessie Hudson,

Ophelia Hudson ?

married
Dock Willis

Mandy Hudson dead

married
Leonard Rush, negro, L.

MCK
3959

Shedrie Hudson, 31, 1/4

wife
① Rachel Hudson, negro, dead

② Mollie Hudson, Living

MCK

3998 William Hudson, 28, 1/4

wife
Lula Hudson, L.

MCK
3958

Alma Hudson, 17

" Savannah Hudson, 15

" Charley Hudson, 13

" Hunter Hudson, 11

MCK
3957

Oscar Rush, 11, 1/8

MCK
3997

William Hudson 12

MCK
3998

Sylvester Hudson, 10m.

MCK
3999

Emma Hudson, 25, 1/4

married
Henry Lewis, L.

MCK
3199

Willie Lewis, 6

Belle Hudson ?

married
Anderson Greer.

Mattie Hudson ?

married
Ansi Carter

MCK
3999

Wilmou Hudson, 18

" Judge Hudson, 17

#1460

No. 3957

For Identification as a Mississippi Choctaw.
Conehatta, Miss.

Date OCT 20 1901

Name Sally Taylor

Age 56 Blood 1/2

Post Office, Prospect, Miss.

Father: Bill Isaac d

Mother: Judy Phelps d

Claims through father
husband.
Henry Taylor L
(no claim for husband)

Children:

Wilmon Hudson 18

Judge " 16

Faber Friday " d

Oscar Rush (1/8) 11

Father Leonard Rush (negro) -
Mandy Rush (mother) d(Claims for self, 2 children
and one grandchild.)

Stenographer

R. S. Strub

Choctaw MCR 3958

Friday C. Hudson

See MCR 3957

MCR 3958

Department of the Interior,
Commission to the Five Civilized Tribes,
Conehatta, Mississippi, October 30, 1901.

In the matter of the application of Friday C. Hudson for the identification of himself and four minor children as Mississippi Choctaws.

Friday C. Hudson, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Friday C. Hudson.
- Q How much Choctaw blood have you? A Well, I don't know; my mother would be a half, I expect I would be about a quarter.
- Q A quarter you claim, then? A Yes.
- Q How old are you? A Born in '61, which would make me near forty one.
- Q What month in 1861? A March 25th.
- Q What is your post office address? A Beech Springs, Neshoba County, Mississippi.
- Q How long have you lived in Neshoba County? A Well, you may say all my life; when I was a little kid they moved to Newton County and went back to Neshoba.
- Q You never lived in Indian Territory? A No sir.
- Q Is your father living? A No sir, he is dead.
- Q What was his name? A Friday Hudson.
- Q Did he have any Choctaw blood? A No sir. He was Creek; his Grand mother was a Creek Indian.
- Q He was a slave was he? A Yes.
- Q Is your mother living? A Yes sir.
- Q What is her name? A Her name presently is Sally Tayler.
- Q Has she any Choctaw blood? A My mother - yes sir.
- Q How much? A Well, I would suppose about half.
- Q Is she the Sally Tayler who was before the Commission here just before you? A Yes sir.
- Q Has she always lived in the State of Mississippi? A Well, when a girl, I think, they carried her to Texas, perhaps, and she stayed there some short bit; of course, I don't know anything about it except what I have heard her say. She come back, and I suppose has been here ever since.
- Q She never lived in Indian Territory? A No sir.
- Q She was a slave was she not? A Yes sir.
- Q Do you know the name of your mother's father? A Well, it has been commonly reported that his name was William, I believe.
- Q Did he have any Choctaw blood? A Yes sir, said to be a Choctaw.
- Q Full blood? A Yes, said to be a Choctaw; that what the whites all said away back.
- Q Did you ever see him? A No sir.
- Q Know nothing whatever about him? A No sir. That's been the general report.
- Q What was your mother's mother's name? A Well, I believe she was named Julia or Judy, one; I am not certain; I never did see the old lady.
- Q Did she have any Choctaw blood? A Well, I couldn't tell you.
- Q You knew nothing about your grand parents then at all? A No sir.

Friday C. Hudson, et al., 2.

Q Do you know the names of any of your ancestors farther back than your grand parents? A No sir.
Q Are you married? A Yes sir.
Q Is your wife living? A Yes sir.
Q What is her name? A Eliza.
Q Has she any Choctaw blood? A No sir.
Q Is she a negro? A Yes sir.
Q You make no claim for her? A No sir.
Q Were you married to her under a license or according to the Choctaw custom? A Under a license.
Q When? A I don't know how long we have been married; I expect about nineteen years this coming January, I expect.
Q Have you any children? A Yes sir, four.
Q Have you your marriage license and certificate with you at this time? A No sir.

It will be necessary for you to furnish the Commission with proper evidence of your marriage to your wife, Eliza, for use in consideration of the claim you make for your four minor children.

Q What are the names of these children for whom you want to make application? A The eldest one is named Alma.
Q How old? A I think she will be eighteen years old the first of next coming February.
Q Is she married? A No sir.
Q What is the next one? A Savannah.
Q About how old is Savannah? A Somewhere's near sixteen, I think.
Q What is the next one's name? A Charley; that's a boy.
Q How old is Charley? A I expect he will soon be fourteen.
Q What is the next one? A Hunter.
Q How old is Hunter? A Somewhere's about twelve.
Q That's all is it? A Yes sir.
Q Are these children all living with you at this time? A Yes sir, were when I left home.
Q Are they all the children of yourself and Eliza Hudson? A Yes sir.
Q This application is for yourself and four minor children? A Yes sir.
Q Is your name or the name of any one of these children to be found upon any of the Choctaw tribal rolls in Indian Territory? A No sir.
Q Did you ever make application to the Choctaw tribal authorities in Indian Territory for yourself or either one of these children to be enrolled or admitted as members of the Choctaw tribe? A No sir.
Q Did you, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw nation for yourself or any one of these children? A No sir.
Q Have you, or has any one of these children been admitted to citizenship in the Choctaw Nation, Indian Territory, by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court for Indian Territory? A No sir.
Q Have you ever made any application prior to this time of any ~~name~~ description for yourself or any one of these children? A No sir.
Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article 14 of the treaty of Dancing Rabbit Creek?
A Yes sir, I -
Q Do you understand that fourteenth article of the treaty of Dancing Rabbit Creek? A No sir, I don't know that it - does treaty mean agreement?

Friday C. Hudson, et al., 3.

Q You heard it explained fully to your mother? A Yes sir.

Q And still you don't understand it? A I don't understand it like you do, I have some idea.

Q Well, I will quote it to you. You understand when the treaty was made, where it was made, and who it was made between? A No sir.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, between the United States Government and the Choctaw tribe of Indian. At the time this treaty was made, the Choctaws lived here in Mississippi and along the western edge of Alabama. The object of the treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi River, a portion of which is now occupied by the main part of the Choctaw tribe of Indians. At the time this treaty was made, some of the Indians were unwilling to remove to the new country, but insisted that provision be made in the treaty whereby they might be permitted to remain here, and for the benefit of those who preferred to remain here, this fourteenth article was put in the treaty. An article is a sub-division of a treaty. That 14th article is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q That's the fourteenth article of the treaty of Dancing Rabbit Creek. Do you think you understand that now? A Well, yes sir, I have a good idea of it.

Q Did any of your ancestors ever comply or attempt to comply with the provisions of that article? A Not that I know of.

Q Were any of them living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830, when this treaty was made? A I don't know sir. I don't judge that they were; that's seventy years isn't it.

Q Over seventy years. Your don't know? A No sir.

Q Did any of them own an improvement here at that time? A No sir, not that I know of.

Friday C. Hudson, et al., 4.
Salt

Q Were any of them recognized members of the Choctaw tribe here at that time? A I don't know sir.

Q Did any of them remove from the old Choctaw Nation, here in Mississippi and Alabama, to the present Choctaw Nation, in Indian Territory, at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A No sir, not that I know of.

Q Did any of them within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States agent of the Choctaws here in Mississippi, their intention to remain in Mississippi, and become citizens of the States? A Not that I know of.

Q Did any of them ever claim or receive any land here in Mississippi from the United States Government under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A No sir.

Q Did any of them ever claim or receive any land here in Mississippi from the United States Government under the provisions of any other article of the treaty of Dancing Rabbit Creek, or under the supplement to that treaty? A Not that I know of.

Q Did you ever hear of any of them ever having received any land here in Mississippi from the Government? A No sir.

Q Or ever having received any money from the Government? A No sir, never heard a word of it.

In accordance with the provisions of the 14th article of the treaty of Dancing Rabbit Creek, the Government of the United States directed an agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain here and become citizens of the States. The records of the Government show that that agent failed to register the names of many Choctaws who did in fact signify to him their intention to remain and become citizens of the States, and on this account, in many instances, the land upon which Choctaws lived and had improvements, was sold by the Government at its public land sales here in Mississippi. This of course, caused a great deal of complaint among the Indians, and the matter was finally brought to the attention of Congress, and Congress passed an Act which was approved on the 13rd day of March, 1837, providing for the appointment of a commission, whose duty it was to come down here to Mississippi and hear the cases of Choctaw Indians who claimed that they had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek, but that their land had been sold by the Government; this commission was duly appointed by the President, and the commissioners came down here to Mississippi and heard a few of these Choctaw cases, but in the time allowed them by the Act of Congress under which they were appointed, and a later Act of Congress approved February 22nd, 1838, they were unable to dispose of but a comparatively small number of these cases, and it therefore became necessary for Congress to make further provision whereby the remainder of these Indians might be given a hearing, so another Act of Congress was approved on the 23rd day of August 1842, providing for the appointment of another commission to come down here and finish up this work. This second commission was duly appointed by the president and the commissioners came down here and heard a great many more of these cases.

Friday C. Hudson, et al., 5.

Q Did any of your ancestors appear before either one of these commissions and attempt to establish their rights under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A No sir.

Q You are sure of that, are you? A No sir, I don't know anything about it.

The Act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of Article 14 of the treaty of Dancing Rabbit Creek, but that his land had been sold by the Government, he should be entitled to select in lieu thereof land in Mississippi, Louisiana, Alabama or Arkansas, to be taken from vacant Government land, and should be given a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors ever receive any of this scrip from the Government under this Act of Congress? A No sir.

Q Do you know about that? A Not that I know of.

Q Do you know anyone living who would likely know as to whether any of your ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek? A Well, no sir, I don't know as I do.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek, or ever received any benefits thereunder? A No sir, I don't know of any.

Q Have you any written evidence you want to offer at this time? A No sir.

Q Have you any witnesses here you want to introduce? A No sir.

Q Are there any further statements you want to make? A Well, no sir, no further statements I want to make now.

Q

If you should see fit to offer any written evidence in support of this application within a reasonable time you will be permitted to do so. If you should find any witnesses whom you desire to have appear in person before the Commission, they may appear before us at any of the appointments of the Commission here in Mississippi this fall, or within a reasonable time before the Commission at Muskogee, Indian Territory, and their testimony will be taken.

Q Have you any brothers living? A Yes sir.

Q How many? A Five.

Q What are their names? A Jim Hudson, Shedrick Hudson, William Hudson, Wilmon Hudson and Judge Hudson.

Q Did you ever have any other brothers? A No sir.

Q They are all full brothers of yours, are they? A Yes sir.

Q Have any of them been before the Commission? A No sir.

Q Are any of them under twenty one years of age? A Yes sir.

Q How many? A Two.

Q Which ones? A Wilmon and Judge.

Q Have you any sisters living? A Yes sir.

Q How many? A Four.

Q What are their names? A Ophelia, Willis;

Q The next one? A Emma Lewis, Belle Greer.

Q The next one? A Mattie Carter.

Q

Friday O. Hudson, et al., 6.

Q Has your mother any full rothers or sisters? A Not as I knows of.
Q Did she ever have any? A Yes sir, it seems I have heard her talking about her sisters; I don't know.

(This applicant has the a pearance of being a negre, though his hair is black and almost straight; his complexion and features would indicate that he might be possessed of some Indian blood. He does not speak or understand the Choctaw language.)

R.S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 30th day of October 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Wenhatta, Mississippi, this 1st day of November, 1901.

L. B. Mosley
Clerk U.S. Circuit Court,
Southern District of Mississippi.

By *[Signature]*

Deputy.

COPY.

M.C.R. 3958

Muskogee, Indian Territory, August 6, 1902.

Friday C. Hudson,

Beech Springs, Mississippi.

Dear Sir:

You are hereby advised that on the 6th day of August, 1902 the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sally Taylor, et al., embracing the following applications for identification as Mississippi Choctaws:

Sally Taylor, et al.,	M.C.R.	3957
Friday C. Hudson, et al.,	"	3958
Shedrick Hudson, et al.,	"	3997
William Hudson, et al.,	"	3998
Anna Lewis, et al.,	"	3999

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sally Taylor, Wilmon Hudson, Judge Hudson, Oscar Bush, Friday C. Hudson, Alma Hudson, Savannah Hudson, Charley Hudson, Hunter Hudson, Shedrick Hudson, William Hudson (1), William Hudson (2), Sylvester Hudson, Anna Lewis and Willie Lewis, as Choctaw Indians entitled to

Friday C. Hudson-2

rights in the Cheetaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED:

Tamie Dixey.

Acting Chairman.

Registered.

COPY.

M.C.R. 3958.

Muskogee, Indian Territory, November 8, 1902.

Friday C. Hudson,

Beech Springs, Mississippi.

Dear Sir:

You are hereby advised that on the 20th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sally Taylor, et al., of which decision you were advised by registered mail on the 6th day of August, 1902.

Respectfully,

Wm. C. Hudson
Acting Chairman.

1461

No. 100

For Identification as a Mississippi Choctaw.

Conehatta, Miss

Date

OCT 30 1901

Name

Friday C. Hudson

Age

40

Blood

1/4

Post Office,

Beech Springs, Miss.

Father:

Friday Hudson d

Mother:

Sally Taylor L

Claims through

mother

wife

Elija Hudson

(No claim for wife)

L

Children:

Alma

Hudson 17

Savannah

"

15

Charley

"

13

Hunter

"

11

(Claims for self and 4
minor children)

Stenographer

R. S. Street

Choctaw MCR 3959

Charlie Jackson

MCR 3959

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Charlie Jackson, et al.,
for identification as Mississippi Choctaws, M.C.R.3959.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Charlie Jackson, et
al., for identification as Mississippi Choctaws, M.C.R.3959.

I N D E X .

Original application of Charlie Jackson, et al., before the Dawes Commission for identi- fication as Mississippi Choctaws,.....	page 1
Decision of the Commission granting the application of Charlie Jackson, et al., for identification as Mississippi Choctaws,.....	10

3959

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Conehatta, Mississippi, October 30, 1901.

In the matter of the application of Charlie Jackson for the identification of himself, his wife and two minor children as Mississippi Choctaws.

Charlie Jackson, having been first duly sworn, upon his oath testifies as follows, through official interpreter Oscar Billey:

Examination by the Commission:

- Q What is your name? A Charlie Jackson.
- ✓ Q How much Choctaw blood do you claim to have? A Full blood.
- Q How old are you? A Forty nine.
- Q What is your post office address? A Conehatta, Mississippi.
- Q How long have you lived in Newton county? A Born and raised here.
- Q Lived here all your life? A Yes.
- Q Is your father living? A No.
- ✓ Q What was his name? A Johnson Charlie.
- Q Did he have a Choctaw name? A Yes.
- Q What was his Choctaw name? A Kah-no-nubbee.
- Q When did he die? A Six years ago.
- Q How old was he when he died? A About seventy.
- Q Did he always live in Mississippi? A Yes.
- Q Was he ever in Indian Territory? A I never heard.
- Q Were you ever out there? A No.
- ✓ Q Do you know the name of either of your father's parents? A Father's father's Choctaw name Ah-ha-yo-tubbee; don't remember father's mother's name.
- Q Did you ever see your father's father? A No.
- Q Did he have an English name? A Don't remember.
- Q How old would he be if he was living now? A About a hundred.
- Q Did he ever live in Indian Territory? A Don't know.
- Q He always lived in Mississippi, did he, as far as you know? A Yes.
- Q When did he die? A Don't know.
- ✓ Q Your father and all of his ancestors were full blood Choctaws were they? A Yes.
- ✓ Q Is your mother living? A No, dead.
- ✓ Q What was her name? A Sophia.
- Q Did she have any other name? A Me-hah-temah.
- ✓ Q Was she a full blood Choctaw? A Yes.
- Q Did she always live here in Mississippi? A Yes.
- Q Never went to the Indian Territory? A No, not that I heard of.
- Q How old would she be if she were living now? A About eighty years old.
- ✓ Q Do you remember the name of either of her parents? A Mother's father's name Koo-chubbe, mother's mother's name Ah-la-hamah.
- Q Did you know either one of them? A Yes.
- Q Which one? A Both of them.
- Q When did they die? A Grandmother died thirty years ago.
- Q When did your grandfather die? A Eight or nine years ago.
- Q How old was your grandfather when he died? A Ninety five.
- Q How old was your grandmother when she died,--your mother's mother?
- A About eighty
- Q Did either of them ever go to the Indian Territory? A No.
- Q Always lived in Mississippi? A Yes.
- Q Do you know the name of any of your mother's ancestors farther

Charlie Jackson----2.

- back than her mother and father? A No.
- Q Are you married? A Yes.
- ✓ Q Is your wife living? A Yes.
- ✓ Q What is her name? A Frances.
- ✓ Q Were you ever married more than once? A Just once.
- Q Is Frances a full blood Choctaw? A Yes.
- Q Do you want to make application for her? A Yes.
- Q Are you living with her at this time? A Yes.
- Q How old is she? A Forty eight.
- Q Has she always lived in the state of Mississippi? A Yes.
- Q She never went to the Indian Territory? A No.
- ✓ Q Is her father living? A Dead.
- ✓ Q What was his name? A Sam Wilson.
- ✓ Q Was he a full blood Choctaw? A Yes.
- Q Did he have a Choctaw name? A Yes.
- Q What was it? A Tah-ha-le-chubbee.
- Q How old would he be if he were living now? A Seventy eight.
- Q Did he ever live in Indian Territory? A No.
- Q Always lived here in Mississippi? A Yes.
- Q Do you know the name of either of Sam Wilson's parents? A No.
- ✓ Q Is your wife's mother living? A No, dead.
- ✓ Q What was her name? A Eliza.
- Q Was she a full blood Choctaw? A Yes.
- Q Did she have a Choctaw name? A Yes.
- Q What was it? A Pis-ah-to-shemah.
- Q Did she ever live in Indian Territory? A No.
- Q How old would she be if she were living now? A About sixty.
- Q Did she always live here in Newton county? A Yes.
- Q Do you know the name of either of her parents? A No.
- Q Have you any children under twenty one years of age and unmarried for whom you want to make application? A Yes.
- Q How many? A Two.
- Q What are their names? A Ben and Stephen.
- Q How old is Ben? A Nine years old.
- Q How old is Stephen? A Six years old.
- Q These children are both living with you? A Yes.
- Q Are they both the children of yourself and Frances Jackson? A Yes
- Q This application then is for yourself, your wife and two minor children? A Yes.
- Q Is your name, your wife's name or the name of either one of these minor children to be found upon any of the Choctaw tribal rolls in Indian Territory? A Don't know.
- Q Did you ever make application to the Choctaw tribal authorities in Indian Territory for yourself, your wife or either of these children to be admitted or enrolled as members of the tribe? A No.
- Q Did you or any one for you in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, Indian Territory, for yourself, your wife or either of these children? A Yes, made application to Winton.
- Q You didn't make application to the Commission, did you? A No, I guess not, Mr Winton told me he was the Commission.
- Q Have you or has your wife or either of these children ever been admitted to ~~xxx~~ citizenship in the Choctaw Nation by the Choctaw tribal authorities, the commission to the Five Civilized Tribes or the United States Court for Indian Territory? A No.
- Q Have you ever made any application of any description prior to this time for yourself, your wife or either of these children to be

Charlie Jackson-----3.

admitted or enrolled as citizens of the Choctaw Nation? A Yes, made application at Decatur in 1899.

The records of the Commission show that on February 6, 1899, this applicant appeared before the Commission to the Five Civilized Tribes at Decatur, Mississippi, and made application for the identification of himself, his wife, Frances, and his children, Ben, Stephen and Sealy, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 362, also upon page 84 of the schedule which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being roll Nos. 1282, 1283, 1284, 1285 and 1286 thereon.

Q At the time you appeared before the Commission in February, 1899, at Decatur, you gave in the name of a child Sealy---Is that child living now? A No.

Q When did it die? A Died in that year---September, 1899.

Q Is this application you made at Decatur, in February, 1899, the only application you ever made for yourself, your wife or either of these children? A Made application to Murchison.

Q Did you understand that Mr Murchison was the Commission? A No.

Q You never have made any application except the only that you think you made to Mr Murchison besides the Decatur application? A That is all.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article fourteen of the treaty of Dancing Rabbit Creek for yourself, your wife and two minor children? A Yes.

Q Do you understand article fourteen of the treaty of Dancing Rabbit Creek? A No.

The treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September, 1830, between the United States government and the Choctaw tribe of Indians. At the time this treaty was made the Choctaws lived here in Mississippi and over on the western edge of Alabama. The object of this treaty was to secure the removal of the Choctaws from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi river, a portion of which is now occupied by the main body of the Choctaw tribe of Indians. At the time that treaty was made, some of the Indians were unwilling to remove to the new country, by insisted that they be permitted to remain here and for the benefit of these that preferred to remain in Mississippi, the fourteenth article was put into the treaty. That fourteenth article is as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the states shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age, and a

Charlie Jackson-----4.

quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the states for five years after the ratification of that treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you understand that article now? A Yes.

Q Did any of your ancestors or any of your wife's ancestors ever comply or attempt to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A Don't know.

Q Were any of your ancestors or any of your wife's ancestors living here in the old Choctaw Nation in Mississippi and Alabama in the year 1830 when this treaty was made? A I reckon they were living at that time.

Q Which one of them was living at that time? A My grandpa.

Q Your father's father? A My mother's father.

Q Were any of your other grandparents living here at that time?

A Don't know.

Q Do you know where Koo-chubbe lived then? A Here in Newton county

Q Do you know whether any of your ancestors or any of your wife's ancestors owned any improvements here at that time? A Don't know.

Q Do you know whether any of your ancestors or any of your wife's ancestors were recognized members of the Choctaw tribe of Indians here at that time? A Don't know.

Q Do you know whether any of your ancestors or any of your wife's ancestors removed from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1832 and 1836? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the United States Agent for the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the states? A Don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land here in Mississippi from the United States government under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A Yes, got some land.

Q Was it one of your ancestors or one of your wife's ancestors got land here? A My ancestor.

Q Which one? A Koo-chubbe.

Q How much land did Koo-chubbe get? A Don't know, got about a section of land.

Q How did you hear that he got land? A He told me himself that he got land.

Q Do you know where that land is located? A May be in Newton County about county line on a creek by name of Bogue Flie.

Q Did you ever see that land? A No.

Q When did Koo-chubbe die? A About eight years ago.

Q Did he ever have any other name besides Koo-chubbe? A Sam Jackson was his English name.

Q That was your grandfather? A Yes.

Q Did he ever have any other Choctaw name? A people used to call him Koo-cha.

Charlie Jackson-----5.

- Q Who owns that land now that he got? A I don't know.
Q Did Koo-cha have any children at the time the treaty was made?
A I heard he had some children then.
Q Did they get some land too? A One of them got land.
Q What was the name of that one that got land? A Believe Imathle-honah.
Q It was not Anthlehonah, was it? A That might be it.

In a list of three cases fully adjudicated on the 31st day of May, 1845, by Commissioners Tyler, Gaines and Rush, appointed under the act of Congress approved August 23, 1842, case No. 497 is that of Koo-cha, who is shown to have had a child under ten years of age at the time of the treaty by the name of Anthlehonah. It is impossible from the testimony of this applicant to definitely identify Koo-cha as his grandfather. This list of cases is found upon page 526 of Volume 1 of one of the records in the proceedings of the Court of Claims in the case of the Choctaw Nation of Indians vs. the United States, No. 12742.

- Q You state that you understand your grandfather had a child at the time this treaty was made---when did that child die? A Don't remember when he died, been dead a long time.
Q Did you ever see him? A No.
Q Did you ever hear your mother speak of this child? A No.
Q How did you hear about this child? A Lucy Williamson told me ~~xxx~~ about it.
Q She is a full blood Choctaw and very old? A Yes.
Q She has been before the Commission? A Yes.
Q Does she live near here? A Yes.
Q Did you ever hear of any other of your ancestors or any of your wife's ancestors having gotten any land here from the government under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A No.
Q Did any of your ancestors or any of your wife's ancestors ever receive any land here in Mississippi from the United States government under the provisions of any other article of the treaty of Dancing Rabbit Creek than the fourteenth article or under the supplement of that treaty? A No.

In accordance with the provisions of article fourteen of the treaty of Dancing Rabbit Creek the government of the United States directed an agent here in Mississippi to register the ~~xxx~~ names of such Choctaws as might desire to remain here and become citizens of the states under that article? The records of the government show that this agent failed to register and report to the government the names of many Choctaws who did in fact signify to him their intention to remain and become citizens of the states, and on this account the government at its public land sales sold land upon which Choctaws lived and had improvements and which they supposed they would receive from the government under the fourteenth article of the treaty. This caused a great deal of complaint among the Indians and the matter was finally brought to the attention of Congress and Congress passed an act which was approved on the third day of March, 1837, providing for the appointment of a commission to come down here and hear the cases of Choctaws who claimed they had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek but their land had been sold by

Charlie Jackson-----6.

the government. This Commission was duly appointed by the President and the Commissioners came down here to Mississippi and heard a few of these cases, but in the time allowed them by the act of Congress under which they were appointed and a later act approved February 22, 1838, they were unable to dispose of but a comparatively small number of these cases. It therefore became necessary for Congress to make further provision whereby the remainder of these Indians might be given hearings, so another act was passed which was approved on the 23rd day of August, 1842, providing for the appointment of another commission whose duty it should be to come down here and finish up the hearing of these Choctaw cases.

Q Did any of your ancestors or any of your wife's ancestors appear before either one of these Commissions and attempt to establish their rights under article fourteen of the treaty of Dancing Rabbit Creek?
A Don't know.

The act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, but that his land had been sold by the government, he should be entitled to select other land in lieu thereof in Louisiana, Alabama or Arkansas, or other land in Mississippi, from vacant government land and that a certificate to that effect should be given him. These certificates were called scrip.

Q Did any of your ancestors or any of your wife's ancestors ever receive any of this scrip from the United States government under this act of Congress? A Don't know.

Q Do you know any one living who would likely be informed as to whether any of your ancestors or any of your wife's ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

Q Do you know of the existence of any written evidence which would show or tend to show that any of your ancestors or any of your wife's ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

Q Have you any written evidence to offer at this time? A No.

Q Have you any witnesses here today? A No.

Q So far as you know were any of your ancestors or any of your wife's ancestors ever recognized members of the Choctaw tribe of Indians?

A No.

Q Or did any of them ever receive any benefits as such? A No, not that I know of.

Q Are there any further statements you want to make at this time in support of your application? A No.

Q Did you ever see or hear of any deed or patent issued to any of your ancestors or any of your wife's ancestors for land here in Mississippi received under the treaty of Dancing Rabbit Creek? A No.

Q Have you any brothers living? A No.

Q Did you ever have any brothers? A Never had any own brothers.

Q Have you any half brothers living? A Yes.

Q How many? A Three.

Charlie Jackson-----7.

Q By the same father as you or the same mother? A Same father, different mothers.

Q What are the names of these half brothers? A William Charlie.

Q Where does he live? A In Scott county.

Q Has he been before the Commission? A Yes.

Q When? A Two years ago.

Q What is his wife's name? A Don't know.

Q Is it Fannie? A Yes.

Q What is the name of your other half brother? A Lee.

Q Lee Charlie? A Yes.

Q Has he been before the Commission? A Yes, I reckon so.

Q Where does he live? A Scott county.

Q Has he any other name besides Lee Charlie? A Johnson Charlie.

Q Sometimes called Lee and sometimes Johnson? A No, that is a different brother.

Q What is Johnson's wife's name? A Don't know.

Q Is it Leona? A I expect so.

Q Are you sure that Lee has been before the Commission? A I reckon so, I heard that he had been here.

Q That is all your half brothers? A Yes, I have one half sister living.

Q A full sister to these other boys? A Yes.

Q What is her name? A A-to-banche.

Q Is she married? A Yes.

Q What is her husband's name? A John Hickman.

Q Has he been before the Commission? A Don't know.

Q Where do they live? A Scott county.

Q About how old is John Hickman? A I don't know.

Q Is he as old as you are? A Younger than me I think.

Q Is your half sister as old as you are? A Believe she is younger.

Q Did she ever go by name of Mary? A Yes.

Q Have you any full sisters? A No.

Q Did you ever have any? A Yes.

Q Dead? A Yes.

Q How many did you have? A One.

Q What was her name? A Mealy.

Q Did she leave any children? A Left children but they are all dead.

Q Did your wife ever have any brothers? A Yes.

Q Are any of them living? A Yes.

Q How many? A Two.

Q What are their names? A Thomas Wilson.

Q Is he married? A Yes.

Q Where does he live? A In Jasper county.

Q What is his wife's name? A Don't know.

Q How old is Thomas? A Older than me, about fifty.

Q Did he ever have any other name than Thomas Wilson? A That is all I know.

Q Has he been before the Commission? A Yes.

Q Don't you think he had some other name? A Thomas Jefferson.

Q Does he live at Penantly in Jasper county? A Yes.

Q Is his wife's name Mary Jane? A Yes.

Q Have they some children? A Yes.

Q Do you know their names? A I know one of them.

Q What is it? A Ike.

Q What is the name of the other brother of your wife? A Billy Wilson.

Charlie Jackson-----8.

Q Are they both full brothers of your wife? A Yes.
Q How does it come that one has Jefferson for his surname and one has Wilson? A Dont know, some white man just call him that.
Q Where does Billy live? A Towards Decatur from here.
Q What is his wife's name? A Maggie.
Q Has he been before the Commission this year? A No.
Q Are those all of your wife's brothers? A Yes.
Q Did she ever have any other s t hat are now dead? A No.
Q Did your wife ever have any sisters? A Yes?
Q How many? A Two.
Q Are either of them living? A Yes, both of them.
Q What are their names? A Louisa Farmer.
Q What is her husband's name? A Solomon Farmer.
Q Where do they live? A Out about threemiles from Conehatta.
Q Have they been before the Commission this year? A No.
Q What is the name of the other sister of your wife? A Susanna.
Q What is her husband's name? A Hudson Lewis.
Q Has she been before the Commission this year? A Yes, went to Meridian.
Q Where does she live? A Right over here hardly a mile.
Q Have Hudson and Susanna any children? A Yes.
Q What are the names of some of them? A Lonnie, Budmon, Sissie, Delsie and Lucy
Q Are thse all the sisters your wife ever had? A Yes.
Q Are any of your father's brothers living? A No.
Q Are any of the children of any of your father's brothers living?
A Dont know.
Q Are any of your father's sisters living? A One.
Q What is her name? A Ami Williamson.
Q Where does she live? A About five miles from Conehatta.
Q Has she been before the Commission this year? A No.
Q Do you know what her Indian name is? A No.
Q Is she a full sister of your father? A Yes.
Q Did he ever have any other sisters? A No.
Q Are any of your mother's sisters living? A No.
Q Are any of the children of any of your mother's sisters living?
A Yes, one living
Q What is that child's name? A Billy Gibson.
Q Has he been before the Commission this year? A No.
Q Where does he live? A Lives about a mile from Conehatta.
Q Is he married? A Yes.
Q What is his wife's name? A Christiana.
Q What was Billy's mother's name? A Choctaw name Timahla.
Q She was a full sister of your mother? A Yes.
Q Billy Gibson is the only living child of any of your mother's sisters? A Yes.
Q Are any of your mother's brothers living? A Yes, one living.
Q What is his name? A Hollis
Q What is his other name? A Willis Jackson.
Q Where does he live? A In Choctaw Nation, Indian Territory.
Q How long has he been out there? A About fourteen years.
Q Did she ever have any other brothers besides Willis? A That is all that is living.
Q Did she ever have any others? A Yes, two dead.
Q Did either of them leave any children? A Yes, Jeff Jackson is all that is living.

Charlie Jackson---9.

- Q Has he been before the Commission this year? A I reckon so.
Q What was his wife's name? A Martha.
Q What was Jeff's father's name? A Sam Jackson.
Q And he was a full brother to your mother? A Yes.
Q Are any of your wife's father's brother living? A No.
Q Did he ever have any brothers? A Don't know.
Q Are any of your wife's father's sisters living? A No.
Q Did he ever have any sisters? A Don't know.
Q Are any of your wife's mother's brothers living? A Don't know.
Q Are any of your wife's mother's sisters living? A Don't know.

You will be allowed a reasonable time in which to submit proper written evidence in support of this application, in case you see fit to do so. If you have any witnesses whom you desire to have appear in person before the Commission for examination, they may appear before us at any of the Commission's appointments in Mississippi this fall or at the general office of the Commission at Muskogee, Indian Territory.

This applicant has ever appearance and characteristic of a full blood Indian. He speaks and understand the Choctaw language and but very little English, the examination having been conducted almost entirely through a sworn Choctaw interpreter.

H.C. Risteen, having been first duly sworn, upon his oath states: that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 30th day of October, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

H.C. Risteen

Subscribed and sworn to before me at Natchez, Mississippi, this 31st day of October, 1901.

L. D. Mosley

Clerk U.S. Circuit Court, Southern District of Mississippi

By *[Signature]*

M C R 1900
 " 4022
 " 4088
 " 2363
 " 2989

DEPARTMENT OF THE INTERIOR.
 COMMISSION TO THE FIVE CIVILIZED TRIBES.
 Muskogee, Indian Territory, July 8th, 1902.

In the matter of the application of Thomas Jefferson for the identification of himself, his wife Mary Jane, and his minor children, Ike, Velma and Susie Jefferson, as Mississippi Choctaws, M.C.R.1900.

In the matter of the application of Billy Wilson for the identification of himself, his wife Maggie, and his minor children, Sampson, Summie, Jimmie Freeman and Dick Russell Wilson, as Mississippi Choctaws, M.C.R.4022.

In the matter of the application of Solomon Farmer for the identification of himself and his wife, Louisa, as Mississippi Choctaws, M.C.R.4088.

In the matter of the application of Susanna Lewis for the identification of herself and her minor children, Lonnie, Duane, Nissie, Delois and Lucy Lewis, as Mississippi Choctaws, M.C.R.2363.

In the matter of the application of Charlie Jackson for the identification of himself, his wife, Frances, and his two minor children, Ben and Stephen Jackson, as Mississippi Choctaws, M.C.R.2989.

 Supplemental testimony of Big Wiley Johnson, who being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Big Wiley Johnson.
 Q How old are you? A Fifty-seven.
 Q What is your postoffice address? A Hickory, Mississippi.
 Q Are you the identical Big Wiley Johnson who appeared before this Commission at Meridian, Mississippi, on August 20, 1902, and there made application for the identification of yourself and your wife, Patsie, and your ward, Allen Gilmore, as Mississippi Choctaws? A Yes sir.
 Q Do you know a Choctaw Indian by the name of Thomas Jefferson? A Yes sir.
 Q About how old a man is he? A Somewhere long about forty.

Thomas Jefferson, et al--a

Q Do you know where his postoffice address is? A He lives in Jasper County.

Q Did he appear before the Commission at Meridian, Mississippi, and make application for identification as Mississippi Choctaws for himself and family? A Yes sir.

Q Do you know his father? A Yes.

Q What is his father's name? A Sam Wilson--his Indian name is Tak-li-shubbe.

Q Do you know his mother's name? A Yes.

Q What is it? A Pis-ah-to-ah-mah.

Q Did Thomas' mother have an English name? A She ought to but forgot it--dead long time.

Q Are they living--is Sam Wilson living? A No, both dead.

Q Do you know Sam Wilson's father's name--the grandfather of Thomas? A He-ah-ah-tubbe.

The only reference to a Choctaw Indian, whose name corresponds to that of the father of Sam Wilson, who complied or attempted to comply with article 14 of the treaty of 1830, is found in Volume 1, page 517, of claimants' brief and evidence in the case of the Choctaw Nation vs. United States, wherein He-ah-ah-tubbe is given as the head of a family, with one child over ten years of age, names "Tak-li-shubbe", alias "Muk-e-shubbe", and one child under ten years of age, "Ah-ah-to-mah", location of residence at the time of treaty Sec. 23, T'p. 8, Range 10 East, under the caption of "residence of five years fully proved; part sold by Government; signification of intention to become citizens fully proved."

There is also found in Volume 1 of the claimants' brief in the case of the Choctaw Nation vs. United States, page 505, docketed claims filed in the office of the Choctaw Commissioner, etc., No. 763, the name He-ah-ah-tubbe; children over ten years of age--two; examined 17th of July, 1844; there is also found in the same record on page 471, the affidavit of Norman M. Daniels, giving the residence of He-ah-ah-tubbe as being on the Northwest quarter of Section 8, Township 8, Range 10 East.

With reference to the mother of the applicant Thomas Jefferson, in Volume 1, page 515, of claimants' brief, in the case of the Choctaw Nation vs. United States, the name of Pis-ah-to-ah-mah is found, as a child under ten years of age of He-ah-ah-tubbe; location of residence at date of treaty Section 23, Township 8, Range 10 East; residence for five years fully proved; disposition of the land--sold by Government; signification of intention to become citizens fully proved.

Reference is also made to a list of Choctaws to whom scrip was issued under the 14th article of the treaty of Dancing Rabbit Creek, prepared by the Indian Office and furnished this Commission, in which appears the name of Pis-ah-to-ah-mah, "I" page 125.

Thomas Jefferson, et al--48

Q Do you know whether Thomas Jefferson's mother, Pie-ah-to-sho-mah, had any brothers or sisters? A Not that I know of.
Q You didn't know any of them? A No.
Q Do you know what the name of Pie-ah-to-sho-mah's father or mother was? A No, I couldn't tell.
Q Has Emma Thomas Jefferson got any children? A Yes sir, he got children.
Q Do you know their names? A I know one of them.
Q What is the name of that one? A One boy, his name Ike.
Q You don't know the names of any others? A No, he's got one girl but I don't know name.
Q Do you know the name of his wife? A Mary.
Q Do you know his wife's father's name? A Yes, I knew it, John Frenchman.
Q Do you know the name of his wife's mother? A No, he Six Town woman, I don't know.
Q Did John Frenchman have an Indian name? A No, he French name, he not much Indian.
Q Did Thomas Jefferson have any brothers or sisters that you know of? A Yes, he got brothers.
Q What is the name? A Billy Wilson.
Q Any others? A Three sisters but I don't know names--one name Louisa.
Q Has either Billy Wilson or his sisters been before the Commission? A Yes, all of them been.
Q Is Louisa married? A Yes, he married Louisa County man.
Q Do you know his name? A No, I don't know.
Q Do you know the name of Billy Wilson's wife? A Yes, Maggie.
Q Do you know anything about her parents, or her ancestry--do you know the names of her father and mother? A John Wallace was her father.
Q Has he an Indian name? A Yes.
Q What was his Indian name? A I-tah-ne-tubbee.
Q Is he living? A Yes.
Q Do you know John Wallace's father? A No.
Q You said a while ago that you didn't know who Louisa Wilson married--do you know whether she married a man by the name of Solomon Farmer, or not? A Yes, but I don't know which one. One of them he married Hudson Lewis, one of them married Solomon Farmer, one married Charlie Jackson--that's the oldest sister.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had to the above entitled cases, heard at Muskogee, Indian Territory, July 8th, 1908, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this 11th day of July, 1908, at Muskogee, Indian Territory.

L. H. Kinner
Guy L. V. Emerson
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

CW

In the matter of the application of Charlie Jackson, et al., for identification as Mississippi Choctaws, M.C.R. 3959.

.....D E C I S I O N.....

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission on October 30, 1901, by Charlie Jackson for himself, his wife, Frances Jackson, and his two minor children, Ben and Stephen Jackson, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the evidence submitted in support of said application it appears that all the applicants are full-blood Mississippi Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 28, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Charlie Jackson, Frances Jackson, Ben Jackson and Stephen Jackson should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

APR 27 1903

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, Mumurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Charlie Jackson, his wife Frances Jackson, and two minor children Ben Jackson and Stephen Jackson as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Charlie Jackson, his wife and two minor children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED).

Tame Bixby.
Chairman.

Registered.
Enc. 3959.

M C R 2468
M C R 3959

Muskogee, Indian Territory, May 8, 1903.

Henry Jackson,

Nady, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, in which you ask if your father, Charlie Jackson, has been identified as a Mississippi Choctaw.

In reply you are informed that it appears from our records that on February 14, 1903, the Commission rendered its decision identifying you and your wife as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations, of which action you were duly advised by registered mail on March 11, 1903.

On April 27, 1903, the Commission rendered its decision identifying your father, Charlie Jackson, and his wife Frances Jackson, and their two minor children, Ben and Stephen Jackson, as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations, and on the same date notice to this effect was furnished the attorneys for the Choctaw and Chickasaw Nations.

If at the expiration of fifteen days from April 27, 1903, no protest has been filed by the attorneys for the Choctaw and Chickasaw Nations against the identification of the above named

applicants, their names will be placed upon a schedule of duly
identified Mississippi Choctaws now being prepared by this Commis-
sion.

Respectfully,

Chairman.

M & R 3009

COPY.

Kuskegee, Indian Territory, May 6, 1903.

Charlie Jackson,
Conshatta, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying Charlie Jackson, his wife Frances Jackson, and two minor children Ben Jackson and Stephen Jackson as Mississippi Choctaw Indians under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 341).

If you remove to the Choctaw-Chickasaw Country, Indian Territory, before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Pishomunge, Chickasaw Nation.

Respectfully,

Register,

Enc 3009

SIGNED:

Fame Dixby
Chairman.

462

No. 3959

For Identification as a Mississippi Choctaw.

Conehatta, Miss.

Date OCT 30 1901

Name Charlie Jackson

Age 49 Blood full

Post Office, Conehatta, Miss

Father: Johnson Charlie d
Kah-no-nubbe

Mother: Sophia Charlie d
me kah le-mah.

Claims through both parents.

Wife, Frances Jackson (full) 48

Father Sam Wilson (Tah-ha-le-chubke) d.

Mother Eliza " (Pis-ah-to-she-mah) d.
(Wife claims through both parents.)

Children:

Ben Jackson 9

Stephen " 6

(Claims for self, wife and 2
minor children)

(See Miss. (hoc card.

field No 362. Appearance
2/6/99.)

Stenographer

A. C. Risteen

No. 3959

For Identification as a Mississippi Choctaw.

Date- 7/5/02
Name Charlie Jackson

Age _____ Blood _____

Post-Office, _____

Father: _____

Mother: _____

Claims through
Additional testimony of
Ray Wiley Johnson

Children: _____

Graphical JS mls

Choctaw MCR 3960

John N. Camden

MCR 3960

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 4, 1901.

3960

In the matter of the application of John N. Camden for identification as a Mississippi Choctaw.

No attorney for applicant.

John N. Camden being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John N. Camden.
Q What is your age? A Thirty two.
Q What is your post office address? A It has been Eldorado Springs-
Rogers is my home now.
Q Where is to be your place of residence? A Purcell will be for a
while; I don't know how long it will be.
Q Purcell, Indian Territory? A Yes sir.
Q You are to go there soon? A Yes sir.
Q You haven't been there yet? A No sir.
Q Where were you born? A Lawrence County, Missouri.
Q How long did you live in Missouri? A About seven years.
Q From there where did you go? A Texas.
Q How long did you live in Texas? A Something over a year.
Q Then you went where? A Arkansas.
Q You lived there how long? A Well, it has been my home ever since
I went there, in the neighborhood of Rogers.
Q You left Rogers and went--? A I have been traveling around; but
Rogers is my actual home, my parents live there.
Q But you are about to go to Purcell now? A Yes sir.
Q What is your father's name? A L.B. Camden.
Q Is he living? A Yes sir.
Q Is your mother living? A Yes sir.
Q What is her name? A Dirinda Camden.
Q Through which parent do you claim Choctaw blood? A My father's
people.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father ever been recognized in any way or enrolled as a
member of the Choctaw tribe of Indians by either the Choctaw tribal
authorities or the United States authorities? A No sir; I don't
think he has.
Q When and where were your father and mother married? A I can't
give the dates; they were married in Missouri.
Q What place? A In Barry County.

Q Have you proof of their marriage with you? A Yes sir.

Q Do you intend to file it in this case? A Yes sir.

Q These people in this paper only say they knew these people were married; if you cannot get the marriage license and certificate, you ought to have at least the affidavit of two witnesses who were present at their wedding;

Certified copy of the affidavit of John C. Colberson offered by applicant, received, filed, marked Exhibit "A", and made a part of the record in this case.

Certified copy of the affidavit of Isaac Maytubbis offered in evidence by applicant, received, filed, marked Exhibit "B", and made a part of the record in this case.

Joint affidavit of James Bennett, Richard Bennett, Orlena E. Bennett and Julia Bennett, presented by applicant, received, filed, marked Exhibit "C" and made a part of the record in this case.

Also affidavit of Amos Johnson received, filed, marked Exhibit "D" and made a part of the record in this case.

Also reasonable time will be allowed this applicant in which to present proof of the marriage of his father and mother and any other proper evidence which he may desire to present in support of this application.

Q Are you married? A No sir.

Q You claim for yourself alone? A Yes sir.

Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.

Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities in the Indian Territory?

A No sir; I never have.

Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under Act of Congress of June 10, 1896? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Have you ever before this time made application for enrollment as a Choctaw citizen to the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.

Q Do you now come before the Commission for the purpose of being identified as a Mississippi Choctaw under article fourteen of the treaty of 1830? A Yes sir.

Q Do you understand that article of that treaty? A No sir; not thoroughly.

The treaty of 1830 was entered into between the United States Government and the Choctaw tribe of Indians in that year on the 27th day of September at a place called Running Rabbit Creek in Mississippi. The object of the treaty was the removal of all the Choctaw Indians from the old Choctaw Nation, partly in Mississippi and partly in Alabama, to the new Choctaw Nation in the Indian Territory. Before the treaty was signed it became known that a large number of Indians would refuse to the new Choctaw Nation Indian

Territory and in order to protect their interests article fourteen was put into the treaty. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent? If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q You think you understand that? A Yes, I believe I do.

Q Do you know whether any of your ancestors complied with that article of that treaty? A No sir. I don't know whether they did or not; I suppose they did.

Q But you don't know about it? A No sir.

Q What was the name of the ancestor through whom you claim the right to be identified as a Mississippi Choctaw? A Nathaniel Payne. My father's grandfather.

Q What relation is he to you? A Great grandfather.

Q Did he ever live in Mississippi? A Yes sir.

Q Do you know what part of Mississippi? A No sir.

Q Did he live in Mississippi in 1830 and was the head of a family at that time? A I have been told that he lived there, but whether he died shortly after that or before I can't say.

Q You claim through your father? A Yes sir.

Q Leroy B. Camden? A Yes sir.

Q Now, he is living, is he? A Yes sir.

Q He has appeared before the Commission for identification?

A Yes sir.

Q How old is he? A Sixty three or sixty four years old.

Q Over sixty? A Yes sir.

Q Where was he born? A I think in Tennessee.

Q Did he ever live in Mississippi? A No sir; I don't think he did.

Q He claimed through which parent? A Through his mother.

Q What was her name? A Odelia Payne.

Q That was her maiden name, I suppose? A Yes sir.

Q Her father's name was--? A Nathaniel Payne.

Q Did Odelia Payne ever live in Mississippi or Alabama? A No sir.

Q Do you know when or where she died? A In Missouri; I can't give the date when she died. I remember her death but can't give the date.

Q Do you know how old she would be if living now? A No sir; I don't.

Q Do you know whether she was living in Mississippi in 1830 and had children there at that time? A No sir; she did not.

Q Do you know when or where Nathaniel Payne was born? A I have been informed he was born in Mississippi; I can't say.

Q As a matter of family history; you get that from relatives?

A Yes sir.

Q You don't know what place in Mississippi? A No sir.

Q Nor when or where he died? A No sir.

Q Was he a Choctaw Indian? A I have been taught that.

Q Full-blood? A I don't know; I think he was pretty near, if he wasn't; I think he was near full-blood; that's what I have been taught.

Q All your information comes through family history; that's where you get your information? A Yes sir.

Q Did he have a Choctaw name? A I can't say.

Q Did he speak the Choctaw language? A No sir.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian agent, Col. Ward, and tell him that they wanted to stay in Mississippi and take land there? A I don't know.

Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the new Choctaw Nation, Indian Territory, between 1833 to 1838? A I can't say.

Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under article fourteen of the treaty of 1830? A I don't know that.

Q Did any of your Choctaw ancestors own or claim any land or any benefits of any kind under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty?

A I can't answer that.

According to the provisions of the treaty of Dancing Rabbit Creek all Indians who stayed in Mississippi or Alabama in the old Choctaw Nation instead of removing to the new Choctaw Nation with the other Indians were required within six months after the ratification of that treaty to declare their intention to the United States Indian agent, Col. Ward, of staying in Mississippi and taking land there. Col. Ward was also required as the agent of the Indians to make a list of their names; he made a list called Ward's register, but it contains only a fractional part of those Indians who did make that declaration within the time limited in the treaty. This neglect caused the Indians to lose the land upon which they had improvements in Mississippi- both were taken from them by the Government and sold. This caused so much distress and so many complaints among the Indians that Congress by Act of March 3, 1837, appointed a Commission which Commission went to the State of Mississippi and heard claimants under article fourteen of that treaty and made lists of all who appeared before it. In 1842 another Commission was appointed by Congress for the same purpose and this Commission also went to Mississippi, heard claimants under article fourteen and put their names down upon lists.

Q Did any of your ancestors as Choctaw Indians go before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of that treaty? A I don't know whether they did or not.

The Act of Congress approved August 23, 1842, provided that if any Choctaw Indians appeared before the Commission of 1842 and

his claim under article fourteen, if it also appeared that he had previously had his land taken from him by the Government, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be given to him; these certificates were called scrip.

Q Did any of your ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know.

Q Have any of your relatives previously appeared before the Commission as Mississippi Choctaws claiming through this same common ancestor, Nathaniel Payne? A Leroy B. Camden, my father. One of my sisters, Harriet Alexander, and Eva Mathews and Effie Myler.

Q Any others? A A brother, A. B. Camden; that's all of our family.

Q Are there any others who claim through Nathaniel Payne? A Yes sir; P. Gotcher.

Q Any others? A That's all, I think.

Q All that claim through him? A I think that's all that appeared.

Q Are these all kin to you? A Yes sir.

Q They claim through the same ancestor, Nathaniel Payne? A Yes sir.

Q Do you want the testimony and records in their cases considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.

Q Is there anything further you would like to say in support of your claim? A No sir; I believe not.

Applicant has the appearance and physical characteristics of being descended from white parentage; medium dark complexion, black hair and eyes, black mustache. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

Henry G. Haine being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 4, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Haine

Subscribed and sworn to before me this 4th day of December, 1901.

Clarence T. Wood
Notary Public.

COPY.

M.C.R. 3860

Muskogee, Indian Territory, July 12, 1902.

John H. Camden,

Purcell, Indian Territory,

Dear Sir:

You are hereby advised that on the 12th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nathaniel P. Catcher, et al., embracing the following applications for identification as Mississippi Choctaws:

Nathaniel P. Catcher,	M.C.R. 3651
Leroy B. Camden,	M.C.R. 3652
Harriet Alexander, et al.,	M.C.R. 3654
John H. Camden,	M.C.R. 3860
Mary Camden,	M.C.R. 3655
Andrew B. Camden,	M.C.R. 3656
Eva Mathews, et al.,	M.C.R. 3804
Effie Tyler, et al.,	M.C.R. 3657
J. B. Camden, et al.,	M.C.R. 4364

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

J N C -----2

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nathaniel P. Gatcher, Leroy B. Camden, Harriet Alexander, Guilford Alexander, George Alexander, Harriet Alexander (2), Hester Alexander, John W. Camden, Mary Camden, Andrew B. Camden, Fy Mathews, Polly Mathews, Fern Mathews, Effie Myler, Ethel Myler, J. N. Camden and Georgia H. Camden, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Registered.

James Bixby
Acting Chairman.

K.C.R. 3960.

Muskogee, Indian Territory, October 8, 1902.

John N. Camden,

Purcell, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nathaniel P. Gotcher, et al., of which decision you were advised by registered mail on the 12th day of July, 1902.

Respectfully,

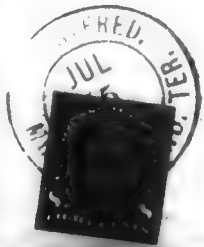
Acting Chairman.

3960



Cancelled, G. J.
AUG 18 1902

92
80



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

John N. Camden,

~~Purcell,~~



Indian Territory.

No. 3960

For Identification as a Mississippi Choctaw

Date NOV 4 1904

Name John N. Camden

Age 32 Blood 1/16

Post Office, Purcell, I. T.

Father: L. B. Camden, l.

Mother: # Mirinda " l

Claims through father

~~Cherokee~~

claim for sep
alone

Stenographer H. M. Harris

Choctaw MCR 3961

James W. Hall

See MCR 3838

MCR 3961

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 23 1891.

3961

In the matter of the application of James W. Hall for identification as a Mississippi Choctaw.

No attorney for applicant:

James W. Hall being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A James W. Hall.
Q What is your age? A Twenty nine.
Q What is your post office address? A Sherman, Texas.
Q What is your street number? A 812 E. Jones St.
Q Where were you born? A In Texas in Sherman.
Q Have you always lived there? A Yes sir.
Q What is your father's name? A Patrick A. Hall.
Q Is he living? A No sir; dead.
Q What is your mother's name? A Samantha J. Clawson.
Q Is she living? A Yes sir.
Q Through which parent do you claim your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A About a sixteenth I guess
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A No sir.
Q How do you have the proof of the marriage of your father and mother here? A No sir; I haven't.
Q Do you know when and where they were married? A I don't know when; but at Kentucky Town Texas.
Q Don't remember the date? A No sir.
Q By a minister under a license? A By minister- I don't remember his name.
Q Do you think you can furnish evidence of their marriage? A Yes.
Q You will be allowed reasonable time to do so.
Q Are you married? A Yes sir.
Q What is your wife's name? A Mary M. Hall.
Q What is her nationality? A White woman.
Q Make any claim for your wife? A No sir.
Q Do you make application for yourself alone? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you made application to the Choctaw tribal authorities in the Indian Territory for citizenship in the Choctaw Nation? A No sir.

Q Have you ever made application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under article-- under the Act of Congress of June 10, 1896? A No sir.

Q Have you ever before this time sought to become enrolled as a Choctaw citizen by making application either to the Choctaw tribal authorities or the United States authorities? A No sir.

Q This is the first application you have ever made, is it, for citizenship in the Choctaw Nation? A Yes sir.

Q Do you now come before the Commission for the purpose of becoming identified as a Mississippi Choctaw claiming under article fourteen of the treaty of 1830? A Yes sir.

Q Understand that article of that treaty? A I have heard it read several times; I guess I understand it as well as I could.

Q I will explain it briefly. The treaty of 1830 was made between the United States and the Choctaw Indians who lived in Mississippi and Alabama in 1830. The object of that treaty was to get all the Choctaw Indians who lived in that old Choctaw Nation to leave it and come to the new Choctaw Nation, Indian Territory. Before it was signed however, it became known that a great many Indians would not go to the Indian Territory; and in order to protect their rights article fourteen was put into the treaty. Article fourteen reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you know whether any of your Choctaw ancestors complied or attempted to comply with any of the provisions of that article of that treaty? A No sir; I don't.

Q Do you know if any of your Choctaw ancestors lived in Mississippi or Alabama in 1830 and were heads of families there at that time? A No sir; I can't say.

Q What is the name of your ancestor through whom you claim the right to be identified? A Dorcas Nichols.

Q What relation was she to you? A Great grandmother.

Q What was your mother's maiden name? A Samantha J. Dyer. I am not sure whether it was Diar or Dyer.

Q You don't know which? A I think Diar.

Q She claimed through which parent, father or mother? A Her mother.

Q What was her mother's name? A Lou Nichols, her maiden name; she married Dyer- William Dyer.

Q And Lou Nichols claimed through which parent? A Her mother, Dorcas Nichols.

- Q Did Lou Nichols or Dorcas Nichols ever live in Mississippi or Alabama? A I don't know for certain; I have heard my sister say they both lived there.
- Q Did they in 1830? A I can't say.
- Q Was either of them, Dorcas Nichols or Lou Nichols, heads of families there in Alabama or Mississippi and had children there?
- AA My great grandmother, Dorcas Nichols had children there.
- Q Her daughter, Lou Nichols who afterward married William Dyer-- did she live there in Mississippi? A Yes sir.
- Q When and where did she die? A In Kentucky-Town, Texas.
- Q What date? A I don't know.
- Q You know how old she would be if living now? A No sir.
- Q How old is your mother? A Fifty nine.
- Q Where was she born? A In Burlington, Iowa.
- Q She claims through her mother? A Yes sir.
- Q Her mother's name was what? A Lou Dyer.
- Q Was Dorcas Nichols able to speak the Choctaw language? A Well, I can't tell I don't know.
- Q Did you ever hear that she had a Choctaw Indian name? A No.
- Q Do you speak or understand the Choctaw language? A No sir.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830? A I don't know.
- Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian agent that they intended to stay in Mississippi and take land there? A I don't know.
- Q Did any of your Choctaw ancestors go from the old Choctaw Nation, Mississippi or Alabama to the Choctaw Nation, Indian Territory between 1833 to 1838? A I don't know.
- Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under article fourteen of the treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors own or claim any land under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know.

The treaty of 1830 was ratified on the 24th day of February, 1831. Those Indians who remained in Mississippi were required to go, under article fourteen, to the United States Indian agent who lived in Mississippi at that time and tell him that they wanted to stay in Mississippi and take land there--if they wanted to occupy lands in Mississippi; but if they wanted afterwards to go to the Indian Territory and enjoy full citizenship with the other Indians. The United States Indian agent was also required to make a list of those Indians who came to him within six months after the ratification of the treaty of 1830 and complied with the provisions of article fourteen with respect to make declarations before him. The United States Indian agent made a list of the names of comparatively few of the Choctaw Indians who came before him pursuant to the provisions of article fourteen of that treaty. This caused the Indians who lived in Mississippi and Alabama and who occupied land there upon which they had improvements to lose both land and improvements--they were taken from them by the Government and sold. So many complaints were made by the Indians that in 1837 Congress appointed a Commission approved August 23, 1842, and which Commission went to

Mississippi and heard claimants under article fourteen and made lists of those who came before them. In 1842 another Commission was appointed by Congress and this Commission went to Mississippi and heard claimants under article fourteen of that treaty.

Q Do you know whether any of your ancestors appeared before either the Commission of 1837 or that of 1842 and claimed benefits under article fourteen of that treaty? A No sir; I don't.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian appeared before the Commission of 1842 and proved his claim under article fourteen, if it also appeared that he had had his land taken from him by the Government that he should be entitled to select land in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land and that certificates to that effect should be given him; these certificates were called scrip.

Q Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A I don't know sir.

Q Have you any documentary evidence that you would like to present now in support of this claim? A No sir.

Q Would you like time---? A Yes sir.

Q -to present such; also proof of the marriage of your father and mother?

Reasonable time is allowed in which to file documentary or any proper evidence in support of this application which he makes.

Q Have any of your relatives appeared for identification before the Commission previous to yours? A Yes sir.

Q Give their full names. A Samantha J. Clawson; my sister, Patty Sloan; my brothers, John T. Hall and Mary S. Hall.

Q Any others? A That's all.

Q All related to you? A Yes sir.

Q All claim through Dorcas Nichols? A Yes sir.

Q Do you want to have the testimony and records in their cases considered with yours in order that you may get the benefit of it? A Yes sir.

Applicant has the appearance and physical characteristics of being descended from white parentage; medium dark complexion, dark hair and eyes; does not understand the Choctaw language and knows of no compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

-5-

Henry E. Haines being duly sworn on his oath states that as stenographer to the Commission to the five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 4, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry E. Haines

Subscribed and sworn to before me this 4th day of December, 1901.

Charles H. Hall
Notary Public.

COPY.

M C R 3861

Muskogee, Indian Territory, July 21, 1902.

James W. Hall,
Sherman, Texas.

Dear Sir:

You are hereby advised that on the 21st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samantha J. Clawson, et al., embracing the following applications for identification as Missions-Indian Cheaters:

Samantha J. Clawson, et al.,	M C R 3858
Pattie Sloan, et al.,	M C R 3859
James W. Hall,	M C R 3861
Estie Roberts,	M C R 3860
John Hall,	M C R 3861
Mary S. Hall,	M C R 3860

These applications were made under the provision of the act of Congress of June 26, 1900, (32 Stat., 405) which is as follows:

"Said Commission shall have authority to determine the identity of Cheater Indians claiming rights in the Cheater lands under article fourteen of the treaty between the United States and the Cheater Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

J V 2-2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sam-
the J. Sloan, Willie Sloan, Pattie Sloan, Patrick Jefferson
Sloan, James W. Hall, Katie Roberts, John Hall, and Mary S. Hall
as Choctaw Indians entitled to rights in the Choctaw lands under
the provisions of said article fourteen of the treaty of eighteen
hundred and thirty, and that the applications for their identifi-
cation as such should be refused, and it is so ordered."

You are further advised that the Commission has on this
date forwarded the record in this case to the Secretary of the
Interior for review, and you will be informed in due time of such
action as may be taken by him.

Yours truly,

(SIGNED)

I. C. Jackson.

Commissioner in Charge.

Registered.

COPY

M.C.R. 3961

Muskogee, Indian Territory, February 21, 1903.

James W. Hall,

812 East Jones Street,

Sherman, Texas.

Dear Sir:-

You are hereby notified that on the 6th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Samantha J. Clawson et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

SIGNED

Tamc Dixby.

Acting Chairman

No. 324
For Identification as a Mississippi Choctaw.

Date

NOV 4 1901

Name James W. Hall

Age 29

Blood 1/16

Post Office, Sherman, Texas.

812 East Jones St.
Father: Patrick ~~W~~^A Hall, d.

Mother: Samantha J. Clawson,

Claims through mother.

wife

Mary M. Hall, w.

No claim for wife —

~~claims~~

Claims for self
alone.

H. L. Harris

Choctaw MCR 3962

Adelbert G. Gunn

MCR. 3962

Department of the Interior
Commission to the Five Civilized Tribes.
Muskegee, I.T. November 4, 1901.

3962

In the matter of the application for identification as Mississippi Choctaws of Adelbert G. Gunn and his minor son Ernest S. Gunn.

Applicant not represented by attorney.

Adelbert G. Gunn being first duly sworn testified as follows:

Examination by the Commission

- Q What is your name? A Adelbert G. Gunn.
Q What is your age? A Twenty-three.
Q What is your post-office address? A Manitou, Colorado.
Q How long have you lived at Manitou? A I have lived there since last January.
Q Where were you born? A In Mississippi.
Q What place in Mississippi? A Choctaw County.
Q How long did you live in Mississippi? A I believe about two years, I was between two and three years old when I left there.
Q Then you went from there where? A Texas.
Q What place in Texas? A Parker County.
Q And lived there how long? A Ten years I believe.
Q And went from there where? A To Memphis, Texas.
Q And lived there how long? A Two years.
Q Have you always lived there until you went to Manitou Colorado? A No; I went to old Mexico six months.
Q What is your father's name? A W. A. Gunn.
Q Is he living? A Yes sir.
Q What is your mother's name? A Susan E. T. Gunn.
Q Is she living? A Yes sir.
Q Through which if these parents do you claim Choctaw blood? A My father.
Q Your mother is a white woman? A Yes sir.
Q You don't claim any Choctaw blood through her then? A No sir.
Q How much Choctaw blood do you claim through your father? A Why one-thirty-second.
Q You know where your father was born? A No sir but I believe in Mississippi.
Q How old is he now? A Forty-eight.
Q He removed from Mississippi to what State? A To Texas.
Q Does he live in Texas now? A Yes sir.
Q Has he lived there ever since he left Mississippi? A Yes sir.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A He was enrolled in the Choctaw Nation just a short time ago.
Q Well he made application for identification as a Mississippi Choctaw, is that what you mean? A Yes sir.
Q Well has he ever been recognized or enrolled by the Choctaw Nation or the United States authority before that time? A No.
Q Were your father and mother legally married? A Yes sir.
Q When were they married? A I don't know.
Q You know where? A In Choctaw County as well as I remember.

- Q In what State? A Mississippi.
 Q You don't know the year? A No sir.
 Q Were they married by a minister and under a license? A Yes sir.
 Q Have you the proof of their marriage with you? A No sir.
 Q Can you produce it? A Yes sir.

A reasonable time will be given you to do so .

- Q Are you married? A Yessir.
 Q What is your wife's name? A Gertrude.
 Q She a white woman? A Yes sir.
 Q You make any claim for her? A No sir.
 Q You and your wife are living together I presume? A Yes sir.
 Q Where were you married to her? A Ft Worth.
 Q Texas? A Yes sir.
 Q What date? A 30th November.
 Q What year? A Three years ago.
 Q Were you married by a minister and under a license? A Yes sir.
 Q Have you the marriage license and certificate with you? A No but I can produce them.
 Q You will be allowed to do so? A Yes sir.
 Q Have you any children that you wish to make application for? A One child.
 Q What is the name of that child? A Ernest S. Gunn.
 Q How old is he? A One year old.
 Q You claim for yourself and this child? A Yes sir.
 Q Is Gertrude Gunn the mother of these children? A Yes sir.
 Q And this child is living with you at your home? A Yes sir.
 Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir not that I know of.
 Q Did you or did any one for you ever make application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe? A No sir.
 Q Did you or did any one for you in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10th 1896? A No sir.
 Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.
 Q Have you ever made application before this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No sir.
 Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory for yourself and this child under the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A Yes sir.
 Q Do you understand that article of that treaty? A No.

The treaty of Dancing Rabbit Creek was entered into in Mississippi on the 27th day of September 1830 between the United States government and the Choctaw tribe of Indians who lived in Mississippi and Alabama at that time. At the time this treaty was made the Choctaws were living in the old Choctaw Nation East of the Mississippi River. The object of the treaty was, to secure the removal of the Choctaws, from the Country then occupied by them in Mississippi and Alabama to the New Country, west of the Mississippi River, in Indian Territory now occupied by the main portion of the Choctaw tribe of Indians. At the time the treaty was made some of the Choctaws were unwilling to remove to the New Choctaw Nation Indian Territory west of the Mississippi River and for the benefit of these Choctaws article fourteen was put into

treaty. This article reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that cases grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

- Q Do you think you understand that article of that treaty? A Yes sir.
- Q Did any of your Choctaw ancestors ever comply or attempt to comply with the provisions of article fourteen of the treaty of 1830? A How is that?
- Q Did any of your Choctaw ancestors ever comply or attempt to comply with the provisions of article fourteen of the treaty of 1830? A I don't know.
- Q Did any of your Choctaw ancestors live in Mississippi or Alabama and were heads of families at that time? A I understand that they was from what I heard my people talking.
- Q What is the name of your ancestor through whom you claim your right to be identified through? A Margaret Gunn.
- Q What relation is she to you? A My grandmother.
- Q Who does she claim through? A Griffin.
- Q What Griffin? A Harriet Griffin.
- Q What relation was Harriet Griffin to you? A My great grandmother.
- Q You claim through your father? A Yes sir.
- Q He is living? A Yes sir.
- Q How old is he? Forty-eighth years old.
- Q Did you say a little while ago that he lived in Mississippi at one time? A Yes sir.
- Q He was born there? A As well as I remember he was and lived near the line.
- Q Your father claimed through which parent? A Through his mother.
- Q Her name was what? A Harriet Griffin, before she was married and Gunn afterwards.
- Q Where does Margaret Gunn come in? A It was Margaret and not Harriet, I made a mistake.
- Q Your father's mother was Margaret Gunn? A Yes sir.
- Q Her maiden name was Margaret Griffin? A Yes sir.
- Q And her mother's name was Harriet Griffin? A Yes sir.
- Q How did Margaret Gunn ever live in Mississippi? A Yes I think so.
- Q And Harriet Griffin her mother also? A Yes sir.
- Q Do you know whether Margaret Gunn or Harriet Griffin lived in Mississippi in 1830? A Yes I understand they did.
- Q Do you know when and where Harriet Griffin died? A No sir.
- Q Do you know how old she would be if she were living now? A No sir.
- Q Do you know where her daughter Margaret Gunn was born? A No sir.
- Q Do you know when and where she died? A Margaret Gunn, she is not dead.
- Q Where is she living? A Thomasville, Alabama.

- Q How old is she now? A I can't say.
- Q Is she old or young? A She is old.
- Q Over seventy? A No I don't presume over seventy but she is quite old.
- Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that year? A I think I heard my father speak about owning land there.
- Q By improvements on land I mean houses or buildings of any kind or fences or anything that constitutes an improvement on land. Did they own any such? A I have heard my father say that they lived on land there.
- Q Was that in 1830? A I don't know just what year it was.
- Q Do you know whether it was known as the old Griffin place? A No sir I don't.
- Q Do you know where it was located in Mississippi? A No I don't know just the place.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A Not that I know of. I think they all remained.
- Q Did any of your Choctaw ancestors within six months afrom the ratification of the treaty of 1830 tell the United States Indian Agent Colonel Ward that they intended to stay in Mississippi and take land there? A Yes sir.
- Q How do you know that? A I have heard my fathersay that he heard his mother speak of it.
- Q His mother stayed there and told him so, but did she go to the United States Indian Agent and tell him to put her name down on his list, known as Ward's register? A Yes sir.
- Q Your father heard his mother say that? A Yes that is what my fatherhas told me.
- Q That his mother told him, what was his mother's name? A Margaret Gunn.
- Q She is now living? A Yes sir.
- Q How much over seventy do you think she is? A I could not say whether she is over or under seventy.
- Q Well whoever of your ancestors went to Colonel Ward and told him that they wanted to stay in Mississippi and take land there must have been living and done it in 1831, within six months after February 1831. Now you don't know whether your grandmother Margaret Gunn was old enough to go to him or not. Did your father ever hear his mother Margaret Gunn say that her mother Harriet Griffin went to the Indian Agent Colonel Ward and told him that she wanted to stay in Mississippi and take land there? A Yes sir.
- Q Has Margaret Gunn been before this Commission to be identified as a Mississippi Choctaw? A Yes sir.
- Q Where? A Meridian I believe.
- Q On September 4th 1901 at Meridian Mississippi your grandmother Marageret G. Gunn made application for identification as a Mississippi Choctaw and in examination by the Commission was asked this question:

"Did you ever hear her (meaning her mother Harriet Griffin) or did you ever hear in the family that she (Harriet Griffin) went to the United States Indian Agent Colonel Ward who lived in Mississippi at that time, and told him that she wanted to stay in Mississippi and take land there and not go to the Indian Territory?" A "No I never heard her say that."

"You have heard her say that she would not go?" A "Yes she said she would die before she would go."

- Q Now this record shows that your grandmother Margaret G. Gunn never made the statement that you say she made. Do you wish to qualify your statement and say that you were mistaken? A Yes sir.
- Q Did any of your Choctaw ancestors go from Mississippi or Alabama to the New Choctaw Nation Indian Territory with the other Indians between 1833 and 1838? A I don't know of any.
- Q Did any of your Choctaw ancestors ever claim any land or receive any under article fourteen of the treaty of 1830 in Mississippi? A They stayed there I don't know whether they claimed any under that article.
- Q Do you know whether they had any land in Mississippi? A No sir I don't know.
- Q Did any of your Choctaw ancestors own or claim any land or any improvements or benefits whatever under any other article of the treaty of 1830 than article fourteen or under the supplement of that treaty? A I don't know.

The treaty of 1830 was ratified the following year in 1831. Those Indians who remained back in Mississippi were required within six months from the ratification of that treaty to go to the United States Indian Agent Colonel Ward and tell him that they wanted to stay in Mississippi and take land there. Colonel Ward was required by the government to put their names on a list prepared by him in order that it might be known what Indians had declared their intentions to remain there and take land. He failed to make a complete list of all who did so and his neglect to make a full and complete list of the names of all who came before him caused many Indians to lose their land which they had in Mississippi and Alabama. This caused so many complaints among the Choctaw Indians that Congress in 1837 appointed a Commission. This Commission went to the State of Mississippi and heard claims under article fourteen of the treaty of 1830 and made lists of the names of claimants who appeared before them. In 1842 another Commission was appointed for the same purpose. This Commission also went to the State of Mississippi and heard claimants under article fourteen of that treaty.

- Q Do you know whether any of your Choctaw ancestors appeared before either of these Commissions and claimed benefits under that treaty? A I don't know.

The act of Congress approved August 23rd 1842 provided that in case it should be finally determined that a Choctaw had complied with all the provisions of article fourteen and that his land had been taken from him he should be entitled to select land elsewhere either in Mississippi, Louisiana, Alabama or Arkansas, to be taken from vacant government lands and that a certificate should be issued to him to that effect. These certificates were called scrip.

- Q Did any of your Choctaw ancestors receive any such scrip from the government? A I don't know.
- Q Have you any papers or documentary evidence that you wish to present to the Commission now in support of this claim? A No sir.
- Q Do you want time in which to present such evidence? A Will it be necessary to do so?
- Q That is for you to say. I will give you time in which to do so if you wish to have it? A No sir I don't think there is any/

The Commission will allow you a reasonable time in which to file documentary evidence or other proof in support of your application and will say to you that this application you make unsup-

#1

ported by any other statement will not warrant the Commission to pass fully on your claim? A Can I use my grandmother's evidence.

Q What is your grandmother's name? A Margaret G. Gunn.

Q She has appeared before the Commission for identification? A Yes sir.

Q What other relatives have you have appeared before the Commission?

A Sam Griffin, Herman Gunn, Millery Jackson and quite a few others George Gunn, Nancy Buckley my great aunt and John Gunn.

Q Now Mr brother's name? A I don't know it.

Q Any others? A I believe that is all.

Q These belong to the Gunn family and the Griffin family? A Yes sir.

Q Do you know any of the Dawis family? A I am not personally acquainted with them? A

Q These are all relatives of yours? A Yes sir.

Q There are a great many others whose names you do not now recollect A Yes sir.

Q Do you want the testimony in these cases considered with yours in order that you may get the benefit of what they have testified to in their cases? A Yes sir.

Q Do you speak Choctaw? A No sir.

This applicant has the physical characteristics of being descended from white parentage, dark complexion, hair and eyes. He does not understand the Choctaw language and has no knowledge of compliance on the part of his ancestors with the provisions of article fourteen of the treaty of, 1830.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on November 4th 1901 and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date of November 1901.

G. Rosenwinkel

Subscribed and sworn to before me this 7th day of December 1901.

Charles Mitchell Wood

Notary Public.

COMMISSIONERS.

HENRY L. DAWES.
TAMM BIXBY,
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M. C. R. 2337
M. C. R. 3962

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

MUSKOGEE, INDIAN TERRITORY, July 26, 1902.

Adelbert G. Gunn,

Manitou, Colorado.

You are hereby advised that on the 26th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Thomas B. Griffin, et al., embracing the following applications for identification as Mississippi Choctaws:

Thomas B. Griffin,	M. C. R. 2337
Nancy Bucklow (Buckalew)	" 3043
John C. Griffin, et al.,	" 3044
George S. Griffin, et al.,	" 3045
Harriet C. Grimes, et al.,	" 3046
Lucy Rollings, et al.,	" 3047
Florence Gray,	" 3048
May Taylor, et al.,	" 3049
Nancy J. Gray,	" 3050
Margaret Williams,	" 3051
James B. Griffin, et al.,	" 3120
Lucy H. Allen, et al.,	" 3121
Allen G. Buckalew, et al.,	" 3122
Mary Blakely, et al.,	" 3123
James W. Griffin, et al.,	" 3225
Harriet Bearfield, et al.,	" 3146
Rosier D. Griffin, et al.,	" 3174
Bessie Riley, et al.,	" 3175
Edna Griffin,	" 3189
Ransom B. Buckalew, et al.,	" 3226
Margaret Emma Boney, et al.,	" 3229
Willery H. Jackson,	" 3262
Edward T. Davis, et al.,	" 3263
Charles M. Davis, et al.,	" 3264
Rosier S. Gavin, et al.,	" 3265

These applications were made under the provisions of the act of Congress of June 28, 1898, (30 Stats., 495,) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Thomas B. Griffin, Nancy Bucklow (Buckalew), John C. Griffin, Vivian E. Griffin, George S. Griffin, Lonnie Griffin, Arthur Griffin, Ada Griffin, Billie Griffin, Norman Griffin, Harriet C. Grimes, Lucy Grimes, Nancy J. Grimes, Lucy Rollings, Sam Rollings, Nommar Rollings, Edward Rollings, Katie Rollings, Nannie Rollings, Tom Rollings, Sallie B. Rollings, Mellie Rollings, Mollie Rollings, Florence Gray, May Taylor, Roy Taylor, Nancy J. Gray, Margaret Williams, James B. Griffin, Emma E. Griffin, Oessie Griffin, Maggie Griffin, Jake Griffin, Lottie Griffin, Eastman Griffin, Lucy H. Allen, James M. Allen, Lela R. Allen, Ira E. Allen, Allen G. Buckalew, Abbie Janet Buckalew, John Allen Buckalew, Joseph Griffin Buckalew, Bonnie McCoy Buckalew, Prince Albert Buckalew, Connie Lee Buckalew, Oscar Buckalew, Arthur Buckalew, Mary Blakely, Mary Edna Blakely, James W. Griffin, Lillia Griffin, Eddie Griffin, Edna Griffin, John Wilson Griffin, James C. Griffin, Susie L. Griffin, Harriet Bearfield, Lutha Bearfield, Andrew Bearfield, Albert Bearfield, Sudie Bearfield, Allen T. Bearfield, Vivy L. Bearfield, John Bearfield, Charley Bearfield, Eva Bearfield, Grady Bearfield, Rosier D. Griffin, Fletcher Griffin, Zilla Griffin, Henry Griffin, Timmie Griffin, Rella Griffin, Siddle Griffin, Glender Griffin, Hattie Griffin, John Thomas Griffin, Bessie Riley, Eva Riley, Ruby Riley, Hardie Riley, Edna Griffin, Ransom B. Buckalew, Abbie Buckalew, Jettie Buckalew, Maud Buckalew, Alman Buckalew, Claud Buckalew, Margaret Emma Boney, Eva Boney, Rufus Boney, Clarence Boney, Wilmer Boney, Willery H. Jackson, Edward T. Davis, Lucy Davis, William L. Davis, Annie Davis, Charles M. Davis, Rosier Davis, Alice Davis, Charlie Davis, Bessie Davis, Sadie Davis, Rosier S. Gavin, Withers Gavin, Charles R. Gavin, Clinton Gavin, Rex Gavin, George E. Gavin, David L. Gavin, Lucy Dedwylder, Charles A. Davis, Rosier S. Davis, Edward B. Davis, Evan M. Gavin, Janie Gavin, Lillie Jackson, Eddie Jane Jackson, Roy Calloway Jackson, Ada Amelia Jackson, Sam W. Griffin, Ada Powers, David N. Powers, Ada A. Powers, Fannie Bowles, Lucy J. Slay, John L. Slay, Agnes L. Slay, Deborah L. Slay, Belle L. Slay, Lucy L. Slay, Frank L. Slay, Bolway L. Slay, Mary L. Slay, Grady L. Slay, Harriet I. Carmichael, Allen Carmichael, Dugald Carmichael, Walter M. Carmichael, John J. Carmichael, Mary N. Dunnam, Edward Dunnam, Allen F. Dunnam, Siddle Dunnam, James R. Dunnam, Collin W. Dunnam, Deborah Ann McLendon, Annie F. McLendon, Charles Kennet McLendon, Allen F. McLendon, Jr., Luella Kate McLendon, John E. McLendon, Rosier A. McLendon, Norman Gunn, Henry S. Gunn, Jr., Harry S. Gunn, Jessie P. Gunn, Harriet Dedwylder, Rosier Davis Dedwylder, Bryant M. Dedwylder, Edward Jefferson Dedwylder, Lucy L. Boykin, Verginia E. Boykin, Amanda A. Boykin, Sallie Davis, John C. Nickels, Harriet A. Nickels, Ida L. Nickels, Joseph A. Nickels, Robert L. Nickels, Maggie Thornhill, Frank Thornhill, Charlie Thornhill, Onie Thornhill, James C. Denham, Fred Tracy Denham, Eva Jopes, Hugh Jopes, Eliza J. Denham, Chester E. Denham, Maud E. Denham, James W. Raley, Willie Rufus Raley, Ira Bonnie Raley, Mary Fletcher Raley, Edward Ernest Raley, Eula B. Raley, Anna Mack Raley, Emma Britton, Rubie M. Britton, Rosa D. Britton, Lottie M. Britton, Winnie E. Britton, Albert B. Britton, Eugene Russell Britton, Annie M. Britton,

Charles R. Gavin, et al.,	M. C. R. 3266
George E. Gavin,	" 3267
David L. Gavin,	" 3268
Lucy Dedwylder,	" 3269
Charles A. Davis,	" 3281
Rosier S. Davis,	" 3282
Edward B. Davis,	" 3283
Evan M. Gavin, et al.,	" 3314
Lillie Jackson, et al.,	" 3320
Sam W. Griffin,	" 3321
Ada Powers, et al.,	" 3322
Fannie Bowles,	" 3323
Lucy J. Slay, et al.,	" 3324
Harriet I. Carmichael, et al.,	" 3325
Mary M. Dunnam, et al.,	" 3333
Deborah Ann McLendon, et al.,	" 3334
John E. McLendon,	" 3335
Rosier A. McLendon,	" 3336
Norman Gunn,	" 3345
Henry S. Gunn, Jr., et al.,	" 3346
Harriet Dedwylder, et al.,	" 3347
Lucy J. Boykin, et al.,	" 3412
Sallie Davis,	" 3413
John C. Nickels, et al.,	" 3432
Maggie Thornhill, et al.,	" 3434
James C. Denham, et al.,	" 3457
Eva Jopes, et al.,	" 3458
Eliza J. Denham, et al.,	" 3459
James W. Raley, et al.,	" 3460
Emma Britton, et al.,	" 3464
Sallie Jacobs, et al.,	" 3477
John F. Gunn, et al.,	" 3558
Margaret D. Gunn,	" 3559
Alice Gunn,	" 3560
George W. Gunn,	" 3563
James J. Gunn,	" 3564
Harriet Loper, et al.,	" 3566
Alice Loper,	" 3567
Alexander Gunn, et al.,	" 3568
Mattie M. Gunn,	" 3569
Mary E. Gunn,	" 3570
William A. Gunn, et al.,	" 3603
George F. Griffin,	" 3604
Pauline Klopner, et al.,	" 3673
Alice Dunmire, et al.,	" 3674
Minnie McConkey,	" 3675
Adelbert G. Gunn, et al.,	" 3962
Robert Gunn,	" 4249
Belle Whitlock,	" 4566
Essie Carter,	" 4572

Sallie Jacobs, Clyde O. Jacobs, John F. Gunn, Ethel Gunn, Grady Gunn, Ocllo Gunn, Miriam Gunn, Margaret D. Gunn, Alice Gunn, George W. Gunn, James J. Gunn, Harriett E. Loper, Hattie Loper, Gideon Loper, Alice Loper, Alexander Gunn, John H. Gunn, Alexander Gunn, Jr., Ada G. Gunn, Norman L. Gunn, Ida Gunn, Ruby Gunn, Ruth Gunn, Mattie M. Gunn, Mary E. Gunn, William A. Gunn, William A. Gunn, Jr., Susan E. T. Gunn, Jr., Priddie B. Gunn, James E. Gunn, Elizabeth A. Gunn, Margaret D. Gunn, Norman Gunn, James W. Gunn, George E. Griffin, Pauline Klopner, Paul L. Klopner, Alice Dunmire, Susie Dunmire, Minnie Conkey, Adelbert G. Gunn, Ernest S. Gunn, Robert Gunn, Belle Whitlock, and Essie Carter as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

T. E. Jackson

Registered.

COPY.

M C R 3962

Muskogee, Indian Territory, December 5, 1902.

Adelbert Gumm,

Manitou, Colorado.

Dear Sir:

You are hereby notified that on the 21st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Thomas B. Griffin, et al., of which decision you were advised by registered mail on the 26th day of July, 1902.

Respectfully,

(SIGNED)

Acting Chairman.

No. 3962

For Identification as a Mississippi Choctaw.

Date NOV 4 1901

Name *Adelbert G. Gunn.*

Age *23*

Blood *1/32*

Post Office, *Manitou, Col.*

Father: *W. A. Gunn. l.*

Mother: *Susan C. T. " l*

Claims through *father* —
wife —

Gertrude Gunn. w.

No claim for wife —

Children:

Ernest S. Gunn l.

*Claims for self &
one child*

Stenographer *G. Rosenmiller*

ann et al
REFUSED

DECISION RENDERED.

JUL 26 1902

NOTICE OF DECISION

R. 3962

JUL 26 1902

NOTICE OF DECISION

MADE

AT THE COURT HOUSE

IN

NOV 21 1902

NOTICE OF DECISION

MADE AT THE COURT HOUSE

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Choctaw MCR 3963

John J. Steagold

See MCR 3481

MCR 3963

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T. NOVEMBER 4, 1901.

3963

In the matter of the application of John J. Steagald for the identification of himself and his minor child, Willie A. Steagald, as Mississippi Choctaws.

Applicant is not represented by attorney.

John J. Steagald being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John J. Steagald.
Q What is your age? A Thirty two.
Q What is your post office address? A Anniston, Missouri.
Q How long have you lived at Anniston? A Not quite a year; since last February.
Q Where were you born? A In Tennessee.
Q What part of Tennessee? A In Decatur County; near the County seat.
Q How long did you live there? A I lived there- to the best of my recollection I was something like seven years old when I left.
Q Where did you go to? A Texas.
Q How long did you live in Texas? A Well, I was about two years the best I remember.
Q Did you live in the same place all the time you were in Texas?
A Yes sir.
Q What place? A Clay County; Cambridge.
Q Where did you go to then? A Back to Tennessee.
Q How long there? A There that time up to a couple of years ago.
Q Where in Tennessee? A Perry County.
Q You went from there to? A Mississippi County, Missouri.
Q And have lived there since? A Yes sir.
Q What is your father's name? A A.A. Steagald.
Q Is he living? A I don't know; I haven't seen or heard of him since I left Texas.
Q What is your mother's name? A Catherine A. Steagald.
Q Is she living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A From what I have been told his grandfather was full- blood Indian; that's all I know.
Q You claim how much? A That would leave me I suppose a quarter, the way I count it.

Q You would be an eighth if your father's grandfather was a full-blood, wouldn't you? A Yes sir.
Q Have- do you claim an eighth? A Yes sir.
Q Has your father ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A Not to my knowledge.
Q When and where were your father and mother married? A In Decatur County Tennessee-- in that County-- I don't know.
Q By a minister and under a license? A Yes sir.
Q Have you proof of their marriage with you? A Not with me.
Q Think you can produce it if given time? A Yes sir.

Reasonable time will be allowed you in which to do so.

Q When and where was your father born? A In Decatur County, Tennessee.
Q Do you know what date? A No I don't.
Q Don't you know how old he would be if living now? A From the best recollection he would be something about between fifty and sixty.
Q Has he always lived in Tennessee? A Up until he went to Texas. That's as far as my knowing it.
Q Are you married? A Yes sir.
Q What is your wife's name? A Lena C. Steagald
Q Do you make any claim for her? A No sir
Q Is she a white woman? A Yes sir.
Q Have you any children you want to make application for? A One
Q What is the name? A Willie A.
A Boy? A Yes sir.
Q How old is he? A About five years old.
Q You claim for him and yourself, do you? A Yes sir.
Q When and where were you married to your wife, Lena? A In Tenn., Clay County, March 1, 1895.
Q By a minister under a license? A Yes sir.
Q Have you your marriage license and certificate with you? A No sir not with me.
Q Will you be able to produce them if given time? A Yes sir.

Reasonable time will be allowed for that purpose.

Q Is your name or the name of this boy on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you ever made application for citizenship for yourself and him to the Choctaw tribal authorities in the Indian Territory? A Not before; no sir.
Q Did you make application for enrollment for yourself and son as members of the Choctaw tribe of Indians to the Commission to the Five Civilized Tribes under Act of June 10, 1896? A No sir.
Q Have you ever been enrolled with your son as members of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities in the Indian Territory? A I haven't.
Q Do you now come before the Commission for the purpose of identifying yourself and son as Mississippi Choctaws under article fourteen of the treaty of 1830? A Yes sir.

- Q Do you understand that article of that treaty? A I don't; yes, I do; I have heard it read.
 Q You have heard it read and explained a number of times, have you?
 A Yes sir.
 Q You don't care to have it read again? A No sir.
 Q You waive the explanation of it? A Yes sir.

Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months after the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Do you know whether any of your ancestors ever complied or attempted to comply with any of the provisions of article fourteen of the treaty of Dancing Rabbit Creek? A I don't.
 Q What was the name of your ancestor who lived in Mississippi in 1830 through whom you claim? A I don't know any that certainly did live in Mississippi.
 Q The ancestor through whom you make this claim? A Well, its through my father's mother.
 Q That's as far back as you go? A And my father's mother's father.
 Q What was his name? A Coleman Haley.
 Q He was what relation to you? A Great grandfather.
 Q Was he a full-blood? Or how much Choctaw blood did he have?
 Q I have heard my father say that he was full-blood.
 Q Where was he born? A I can't tell.
 Q When was he born? A I don't know that either.
 Q When and where did he die? A In Tennessee, I have been told; I don't remember the date.
 Q How old would he be if living now? A I can't tell that either.
 Q Did he have a Choctaw name or speak the Choctaw language? A I don't know.
 Q Did he ever live in Mississippi or Alabama to your knowledge?
 A Not to my knowledge.
 Q You claim through your father? A Yes sir.
 Q And you don't know whether he is living now? A No sir.
 Q He would be between fifty and sixty; he was born in Tennessee?
 A Yes sir.
 Q He claimed through which parent? A His mother.
 Q Did he ever live in Mississippi or Alabama? A Not to my knowledge.
 Q What was his mother's name? A The best I can remember it was Emily Steagald.
 Q Steagald? A Yes sir.

- Q And her maiden name was---Emily Haley? A Yes sir.
 Q Was her father Coleman Haley? A Yes sir.
 Q Did your father's mother, Emily ever live in Mississippi or Alabama
 A I don't know.
 Q How old would she be if living now? A I don't know.
 Q Do you know when or where she was born? A No sir.
 Q Did any of your Choctaw ancestors live in Mississippi or Alabama
 in 1830? A I don't know.
 Q Did they own any improvements on land in Mississippi? A I don't
 know.
 Q Did any of them go to the United States Indian agent and tell him
 that they wanted to stay in Mississippi and take land there? A I
 don't know.
 Q Did any of your Choctaw ancestors own or claim any land under
 article fourteen of the treaty of 1830 in Mississippi or Alabama?
 A I don't know.
 Q Did they own or claim any land or other benefits under any other
 article of the treaty of 1830 than article fourteen or under the
 supplement to that treaty? A I don't know.

The United States Indian agent Col. Ward was required by the Government to make a list of the names of all Choctaw Indians who within six months after the ratification of the treaty of 1830 went to him and told him that they wanted to stay in Mississippi and take land there. He made a list called Ward's register but it contains the names of only a few of the total number of Indians who complied with the requirements of article fourteen; on account of his negligence to make a full and complete list of claimants under article fourteen a great many Indians who had lands in Mississippi with improvements on them lost both land and improvements for they were sold by the Government at Public Land Sale. This caused so many complaints among the Choctaw Indians that in 1837 by act of Congress approved March 3 of that year, a commission was appointed which went to Mississippi and heard claimants under article fourteen of the treaty of Dancing Rabbit Creek, and made lists of all claimants under it. In 1842 another Commission was appointed for the same purpose. They went to Mississippi and heard claimants under article fourteen and made lists of their names.

- Q Did any of your Choctaw ancestors appear before either the Commission of 1837 or the Commission of 1842 and claim benefits under article fourteen of the treaty of Dancing Rabbit Creek? A No, not that I know of.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian appeared before it and proved his claim under article fourteen if it also appeared that he had previously had land in Mississippi which had been taken from him by the Government and sold, that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas to be taken from certain vacant Government land and that a certificate to that effect should be issued to him; these certificates were called scrip.

Q Did any of your Choctaw ancestors receive any such scrip from the Government as Choctaw Indians? A No to my knowledge.

Q Do you speak or understand the Choctaw language? A No sir.

Q Have you any documentary evidence that you want to present now in support of your claim? A No sir, I haven't now.

Q Would you like time? A Yes sir.

Reasonable time will be allowed this applicant in which to file proper proof or in support of this application which he makes for himself and children.

Q Have any of your relatives appeared before the Commission before? A Not that I know of.

This applicant has the physical characteristics of being descended from white parentage; dark complexion, dark hair dark eyes. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the fourteenth article of the treaty of 1830.

Henry G. Hain being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 4, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hain

Subscribed and sworn to before me this 5th day of December, 1901.

Clara Mitchell Wood

Notary Public.

Madagascar, Indian Territory, October 9, 1902.

John J. Steagall,

Anniston, Missouri.

Dear Sir:

You are hereby advised that on the 9th day of October 1902 the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Martha Rogers, et al., embracing the following applications for identification as Mississippi Choctaws:

Martha Rogers, et al.,	M.C.R. 3461
John A. Rogers, et al.,	M.C.R. 3697
Stanley Rogers,	M.C.R. 3463
Lysie Rogers,	M.C.R. 3596
George A. Rogers,	M.C.R. 3600
Haggie Rogers,	M.C.R. 3599
John J. Steagall, et al.,	M.C.R. 3943
Fannie Freeman, et al.,	M.C.R. 4279
Bess White, et al.,	M.C.R. 3482
W. R. Hunter, et al.,	M.C.R. 4083

These applications were made under the provision of the act of Congress of June 25, 1896, (30 Stat. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha Rogers, Jesse Rogers, Bertha Rogers, Samuel Rogers, Velda Rogers, Gulberson Rogers, John A. Rogers, John Rogers, Stanley Rogers, Lissie Rogers, George A. Rogers, Maggie Rogers, John J. Steagald, Willie A. Steagald, Fannie Freeman, John Freeman, William F. Freeman, Claude Freeman, Walter Freeman, Mary Freeman, Nable Freeman, Marvin Freeman, Emma White, Vance White, Grace White, W. R. Plummer, Lula Plummer, Verner Plummer, Arthur Plummer, Loris Plummer and May Plummer as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Respectfully,

Registered.

Acting Chairman.

M.C.R. 3963

Muskegee, Indian Territory, February 24, 1903.

John T. Steagald,

Amistep, Missouri.

Dear Sir:

You are hereby notified that on the 11th day of February, 1903, the secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Martha Rogers, et al., of which decision you were advised by registered mail on the 9th day of October, 1902.

Respectfully,

Tennie Dickson

No. 3963

For Identification as a Mississippi Choctaw.

Date

NOV 4 1901

Name

John J. Steagald

Age

32 —

Blood

1/8

Post Office,

Anniston, Mo.

Father;

A. A. Steagald. —

Mother;

Catherine A. " L.

Claims through

father

wife —

Lena C. Steagald, w.

No claim for wife —

Children:

Willie A. Steagald, 5.

Claims for such
are denied.

Photographed by H. L. Barnes

Choctaw MCR, 3964

Thomas M. Murphy

See MCR 3878

MCR 3964

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 4, 1901.

3964

In the matter of the application of Thomas M. Murphy for identification as a Mississippi Choctaw.

John London Attorney for applicant; no appearance by attorney.

Thomas M. Murphy being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Thomas M. Murphy.
Q What is your age? A Twenty four years old.
Q What is your post office address? A Petty, Texas, Lawrence County.
Q How long have you lived at Petty? A I lived there you may say all my life.
Q Were you born there? A About three miles S utheast of there.
Q What is your father's name? A M.M.Murphy.
Q Is he living? A Yes sir.
Q What is your mother's name? A Willetta M. Murphy.
Q Is she living? A Yes sir.
Q Through which parent do you claim Choctaw blood? A My mother.
Q how much Choctaw blood do you claim? A I don't know sir.
Q Your mother has appeared before the Commission at Atoka for identification has she not? A Yes sir. She appeared down there last Friday.
Q Has your mother ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States in Indian Territory? A No sir.
Q When and where were your father and mother married? A In Lamar County, Texas.
Q Do you remember when? A No sir.
Q By a minister and under a license? A Yes sir.
Q Have you proof of their marriage with you? A No sir; I haven't.
Q Think you can furnish it? A Yes sir.

Reasonable time will be allowed for that purpose.

- Q Are you married? A Yes sir.
Q What is your wife's name? A Ida Murphy.
Q Have you any children? A No sir.
Q Do you claim Choctaw blood for her? A No sir.

- Q You are claiming--? A Just for myself alone.
Q Is she a white woman? A Yes sir.
Q When and where were you married to your wife? A In Lamar County.
16th December, 1900.
Q Married by a minister under a license? A Yes sir.
Q You have your marriage license and certificate? A Yes sir.
Q You wish to file it now? A Yes sir.

Marriage license between T. M. Murphy and Miss Ida Morgan presented by applicant, received filed, marked Exhibit "A", and made a part of the record in this case.

- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities in the Indian Territory? A No sir.
Q Have you ever made application for citizenship in the Choctaw Nation by making application to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to membership or enrolled as a Choctaw Indian by either the Choctaw tribal authorities the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Is this the first application of any kind that you have ever made for enrollment as a Choctaw Indian either to the Choctaw tribal authorities or the United States authorities? A Yes sir.
Q Do you now make application for identification as a Mississippi Choctaw claiming under article fourteen of the treaty of 1830? A Yes.
Q Do you understand that article of that treaty? A I think I do.
Q You have heard it read and explained a number of times, did you? A Yes sir.
Q Do you waive explanation of it now? A Yes sir.
Q You don't care to have the explanation made? A No sir.

Article fourteen of the treaty of 1830 reads as follows: "Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which may be living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the State for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this Article shall not lose the privilege of a Choctaw citizen, but, if they ever remove are not to be entitled to any portion of the Choctaw annuity."

- Q Now, do you know whether any of your Choctaw ancestors ever complied or attempted to comply with any of the provisions of article fourteen

of the treaty of 1830 as read to you? A I don't know.

Q What was the name of your ancestor through whom you claim your right to be identified as a Mississippi Choctaw? A Rachel Shelton.

Q What relation was she to you? A My great grandmother.

Q You claim through which parent? A My mother.

Q Willetta Murphy? A Yes sir.

Q Her maiden name was what? A Willetta Yates.

Q When and where was she born? A I don't know.

Q Is she living? A Yes sir; in Lawrence County, Texas.

Q How old is she now? A Forty seven years old.

Q You don't know where she was born? A No sir.

Q She claimed through-ly? A Her mother.

Q Minerva Yates? A Yes sir.

Q Is Minerva Yates dead? A Yes sir.

Q When and where was she born? A I don't know sir.

Q When and where did she die? A I have heard an uncle of mine say that she died out here in West Texas.

Q You can't tell how old she would be now? A I have heard him say 1864.

Q Did she live in Mississippi or Alabama? A I don't know sir.

Q Her mother's name was what? A Rachel Shelton.

Q You don't know where she was born? A No sir.

Q Did she live in Mississippi or Alabama? A I don't know sir.

Q Do you know what her maiden name was? A No sir.

Q Know whom she married? A Jesse Shelton.

Q What was his occupation? A I don't know sir.

Q How much Choctaw blood did she have? A I don't know sir.

Q Did she speak the Choctaw language or have an Indian name? A I don't know sir.

Q You don't know whether she or any of your ancestors were heads of families in 1830? A No sir; I don't know.

Q Did any of your Choctaw ancestors own any improvements on land in Mississippi or Alabama in 1830 or any time before that? A I don't know.

Q Did any of your Choctaw ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian agent Col. Ward and then tell him that they wanted to stay in Mississippi, take land there and become citizens of the States? A I don't know sir.

Q Did any of them go from the old Choctaw Nation to the new Choctaw Nation Indian Territory with the other Indians between 1833 to 1838?

A I don't know sir.

Q Did any of your Choctaw ancestors own or claim any land in Mississippi or Alabama under article fourteen? A I don't know sir.

Q Did any of your Choctaw ancestors claim or own any land in Mississippi or Alabama under any other article of the treaty of 1830 than article fourteen or under the supplement to that treaty? A I don't know sir.

According to the provisions of the fourteenth article of the treaty of 1830 the United States Indian agent, Col. Ward was required by the Government to make a list of all Choctaw Indians who came before him within six months after the ratification of the treaty of 1830 and told him that they wanted to stay in Mississippi, take land there and become citizens of the States. A great many Indians went before Col. Ward whose names were not placed on his list known as Ward's Register; a great many failed to get their names on any list. This failure to make a complete list of all claimants under article fourteen caused a good many Indians to lose the lands which they had in Mississippi or Alabama and improvements; they were taken and sold.

This caused many complaints among the Indians so that in 1837 a Commission was appointed which went to the State of Mississippi and heard claimants under article fourteen of the treaty of Dancing Rabbit Creek; in 1842 another Commission was appointed by Congress for the same purpose, and this Commission also went to Mississippi and both Commissions made a list of all claimants who appeared before them under article fourteen.

Q Did any of your ancestors go before either the Commission of 1837 or that of 1842 and claim benefits under article fourteen of that treaty? A I don't know sir.

The Act of Congress approved August 23, 1842 provided that if any Choctaw Indian came before the Commission of 1842 and proved his claim, if it also appeared that he had previously lost his land- had been taken from him by the Government- that he should be entitled to select land either in Mississippi, Alabama, Louisiana or Arkansas, to be taken from vacant Government land, and that certificates to that effect should be given to him; these certificates were called scrip.

Q Did any of your Choctaw ancestors ever receive any such scrip from the Government as Choctaw Indians? A I heard that Rachel Shelton received Scrip.

Q Did you hear anything else? A No sir.

Q Do you know just what that scrip was or what it is was for? A No sir.

Q Do you know what became of that scrip? A No sir.

Q Do you know whether land was selected under it or where it was selected? A No sir.

Q Is this a matter of family history? A Yes sir; the first I ever heard of it.

Q When you came up to be identified- this is the first--? A When I first came up to Atoka.

Q Who told you about that? A I just heard the people that were there.

Q These people who claim through Rachel Shelton? A Yes sir.

Q Have you any documentary evidence you want to present now in support of this claim? A No sir.

Reasonable time will be allowed this applicant in which to present documentary evidence in support of this application.

Q Do you speak or understand the Choctaw language? A No sir.

Q On the 28th, 29th, 30th and 31st days of October, 1901, there appeared for identification as Mississippi Choctaws a number of persons at the office of the Commission at Atoka, I.T., all claiming through the same common ancestor, Rachel Shelton. Were these people all claiming through the same common ancestor; were they all related to you? A Yes sir.

Q Your mother was in that number? A Yes sir.

Q Willetta M. Murphy? A Yes sir.

-5-

Q Do you want the testimony taken in these cases and the records made to be considered with yours in order that you may get the benefit of what they have testified to? A Yes sir.

Applicant has the appearance and physical characteristics of being descended from white parents; blue eyes, medium fair complexion, brown hair; has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of article fourteen of the treaty of 1830.

-3--3--7- -3-3-

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on November 4, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Subscribed and sworn to before me this 5th day of December, 1901.

Henry G. Hains

Henry G. Hains
Notary Public.

COPY:

COMMISSIONERS

HENRY L. DAWES.
TAMM DIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

H.C.R. 8964.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1903.

Thomas N. Murphy,
Petty, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Maggie M. Coleman, et al., embracing the following applications for identification as Mississippi Choctaws:

Maggie M. Coleman, et al.,	M C R 3878
Fannie E. Cook, et al.,	M C R 2925
Laura Brackeen, et al.,	M C R 2926
Willet Shannon, et al.,	M C R 2927
Malinda Malaney, et al.,	M C R 2973
Susan J. Perkins, et al.,	M C R 3329
James T. Perkins, et al.,	M C R 3330
Nannie A. Cross Bledsoe, et al.,	M C R 3331
Sallie Homer Morgan, et al.,	M C R 3332
Sallie Stanley, et al.,	M C R 3348
Mattie Miranda Justiss, et al.,	M C R 3349
William Shelby Perkins, et al.,	M C R 3350
Duain Sheb Cross, et al.,	M C R 3351
Eddie B. Cross,	M C R 3352
Susan Francis McGlasson, et al.,	M C R 3353
Nannie F. Gambill, et al.,	M C R 3354
Nellie W Cross,	M C R 3355
Joel A. Shannon, et al.	M C R 3356
Laura J. Duncan, et al.	M C R 3349
Rosie E. Stanley, et al.,	M C R 3350
Minnie A. Adshire, et al.,	M C R 3351
Nannie F. Akers, et al.,	M C R 3352
Alice Akers, et al.,	M C R 3353
Bessie Milford, et al.,	M C R 3354
Mary L. Crook, et al.,	M C R 3369
Lillian Bedford, et al.,	M C R 3370
Roberta I. Coleman, et al.,	M C R 3371
Jessie Crook Smith, et al.,	M C R 3372
John W. Crook, et al.,	M C R 3373
Charles O. Crook, et al.,	M C R 3374
Walter J. Crook, et al.,	M C R 3375
Stella W Schultze,	M C R 3376
Marvin B. Crook,	M C R 3377
Texanna Jones,	M C R 3379
Fannie Long,	M C R 3380
Thomas J. R. Yates, et al.,	M C R 3381
Alice I. Compton,	M C R 3382

Jesse R. Shelton, et al.,	M C R	3883
Eli J Shelton,	M C R	3884
Ethel Pearl Shelton,	M C R	3885
Irene Thomas, et al.,	M C R	3886
Florence Carson,	M C R	3887
Lola A. Haraway, et al.,	M C R	3888
Ada A. Shelton, et al.,	M C R	3889
Idella Garland, et al.,	M C R	3890
Maud M. Shipe,	M C R	3891
James M. Yates,	M C R	3892
Victor L. McGlasson, et al.,	M C R	3893
Cora Therese Porter,	M C R	3894
Cora Estelle Lindsay, et al.,	M C R	3895
Georgia B. Porter,	M C R	3896
Johnnie G. Berry et al.,	M C R	3897
Marie F. Kidd, et al.,	M C R	3898
Clarence Greenwood Hilburn,	M C R	3899
Willetta M. Murphy, et al.,	M C R	3900
Emma G. Stafford, et al.,	M C R	3901
Melville Yates, et al.,	M C R	3902
Walter A. Jones, et al.,	M C R	3903
Verner D. Jones,	M C R	3904
Arthur L. Jones, et al.,	M C R	3905
Herbert T. Jones,	M C R	3906
Gus B. Shelton,	M C R	3907
Jack R. Garland, et al.,	M C R	3908
Nannie L. Garland,	M C R	3912
Joella G. Garland,	M C R	3913
Leda M. Garland,	M C R	3914
Mary Gertrude Grant,	M C R	3915
Lucinda A. Johnson, et al.,	M C R	3916
Joseph R. Johnson,	M C R	3917
Wirtter R. Garland, et al.,	M C R	3922
Lamartine R. Latimer, et al.,	M C R	3923
Homer Murphy, et al.,	M C R	3924
John W Murphy, et al.,	M C R	3925
Jennie B. Tucker, et al.,	M C R	3926
James M. Yates, jr., et al.,	M C R	3927
Napoleon S. Young, et al.,	M C R	3928
Robert S. Hilburn, et al.,	M C R	3929
William N. Yates, et al.,	M C R	3930
Thomas M. Murphy,	M C R	3964
Thomas, S. Young, et al.,	M C R	3971
William C. Hilburn,	M C R	3972
Robert Clarence Montgomery,	M C R	3973
Henry R. Latimer, et al.,	M C R	3974
Fannie Montgomery, et al.,	M C R	3975
Harvey O. Jones,	M C R	3976
Eugene S. Wood,	M C R	3977
Porter A. Bywaters,	M C R	3978
Malcolm W. Forbes,	M C R	3979
Napoleon W. Young, et al.,	M C R	3980
May R. Rush, et al.,	M C R	3981
Lena C. Strickland, et al.,	M C R	3982
R. Shelton Bywaters,	M C R	3983
Frank E. Wood,	M C R	3984
Alice P. Bywaters, et al.,	M C R	3985

Wilsie J. Wood,	M C R 3986
Fred F. Hilburn,	M C R 4035
Albert H. Latimer, et al.,	M C R 4102
Fletcher L. Grant,	M C R 4103
Weck P. Latimer, et al.,	M C R 4104
Maude Montgomery,	M C R 4106
Ola Glyn, et al.,	M C R 4151
James T. Jones, et al.,	M C R 4505
Hardin Ida Timmins, et al.,	M C R 4506

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Maggie M. Coleman, Eva Coleman, Ruth A. Coleman, Gertrude Coleman, Davie A. Coleman, Maggie I. Coleman, Elizabeth V. Coleman, Jessie M. Coleman, Shelton Coleman, Fannie E. Cook, Jim David Shannon, Jeff R. Shannon, Claude Martin, Laura Brackeen, Wesley Collom, Etta Collom, Harvey Brackeen, Melvin Brackeen, Minnie Brackeen, Willet Shannon, Ezra Lee Shannon, Malinda Malaney, Henry J. Malaney, Myrtle L. Malaney, Fannie E. Malaney, Nannie E. Malaney, Susan J. Perkins, Ira E. Perkins, James T. Perkins, Arther Perkins, Gertrude Perkins, Myrtle Perkins, Audrey Perkins, Alma Perkins, Buna Perkins, Vada Perkins, Lloyd Perkins, Vera Perkins, Willie D. Perkins, Nannie A. Cross Bledsoe, Milton S. Bledsoe, Minnie Laura Bledsoe, William A. Bledsoe, Miranda Frances Bledsoe, Sallie Homer Morgan, Mamie Cross Morgan, Willie Carleton Morgan, Florence Rachel Morgan, Calvin Miller Morgan, James Shelby Morgan, Sallie Stanley, Horace Folsom Stanley, Mattie Miranda Justiss, Nannie Lee Justiss, Thomas Shelby Justiss, William Shelby Perkins, Carl Perkins, Iris Amy Perkins, Joe Perkins, Duain Sheb Cross, Nannie Katherine Cross, Eddie B. Cross, Susan Francis McGlasson, Clement McGlasson, Ernest W. McGlasson, Nannie F. Gambill, Roger N. Gambill, Mamie U. Gambill, Nellie W. Cross, Joel A. Shannon, Claud W. Shannon, Ethel Shannon, Earl Shannon, Clarence Shannon, Virgie Shannon, Laura J. Duncan, Winifred J. Duncan, Viola Duncan, Jesse A. Duncan, Tommy J. Duncan, Lucile Duncan, Cecil Duncan, Rosie E. Stanley, Sudie S. Stanley, Eddie Roy Stanley, Sybil W. Stanley, Minnie A. Adshire, Nora May Adshire, Jewel Christine Adshire, Nannie F. Akers, Essie Akers, Elgin Akers, Alice Akers, Flossie Akers, Madison M. Akers, Lillian E. Akers, Nannie M. Akers, Otis Akers, Bessie Milford, Eddie Milford, Mary L. Crook, Mary Crook, Lillian Bedford, Ruth N. Bedford, Mabel J. Bedford, Roberta I. Coleman, Mamie E. Coleman, Smith B. Coleman, Lillian R. Coleman, George Robert Coleman, Roberta I. Coleman (2), Laura Coleman, Jack J. Coleman, Mildred M. Coleman, Jessie Crook Smith, Hugh Earl Smith, Mary Ruth Smith, John W. Crook, Olin L. Crook, Mary Adeline Crook, Charles O. Crook, Harry C. Crook, William S. Crook, Walter J. Crook, W. Wilson Crook, Stella W. Schultze, Marvin B. Crook, Texanna Jones, Fannie Long, Thomas J. R. Yates, Effie Agnes Yates, Tommie O. Yates, Verlinda Caton Yates, Alice I. Compton, Jesse R. Shelton, Myra Jessie Shelton, Cora Allen Shelton, Annie May Shelton, Nina E. Shelton, Eli J. Shelton, Ethel Pearl Shelton, Irene Thomas, Jesse C. Thomas, Bessie F. Thomas, Florence Carson, Lola A. Haraway, Georgia Haraway, Rachel E. Haraway, Ada A. Shelton, Alva Shelton, Irma Shelton, Idella Garland, Columbus A. Shipe, Maud M. Shipe, James M. Yates, Victor L. McGlasson, Victor L. McGlasson, jr., Louise McGlasson, Russell McGlasson, Cora Therese Porter, Cora Estelle Lindsay, Leslie F. Lindsay, Robert Porter Lindsay, Georgia Berry Lindsay, Georgia B. Porter, Johnnie G. Berry, Mary Louise Berry, Russell G. Berry, Marie F. Kidd, Johnnie K. Kidd, Clarence Greenwood Hilburn, Willetta M. Murphy, Estelle Murphy, Robert Murphy, Josie Murphy, Roy Shelton Murphy, Emma G. Stafford, Ralph Stafford, Grover O. Stafford, Tura Dow Stafford, Nevada Stafford, Melville Yates, Mary Alma Yates, Vera Yates, Myra Yates, Walter A. Jones, Jesse W. Jones, Addie May Jones, Earnest Jones, Verner D. Jones, Arthur L. Jones, Karl W. Jones, Elsie L. Jones, Herbert I. Jones, Gus B. Shelton, Jack R. Garland, Joe D. Garland, Jessie Louise Garland, Nannie L. Garland, Joella G. Garland, Leda M. Garland, Mary Gertrude

Grant, Lucinda A. Johnson, Roberta L. Johnson, Fred M. Johnson, Lucile Johnson, Joseph R. Johnson, Wirtter R. Garland, Roy P. Garland, Lamartine R. Latimer, Belle M. Latimer, Lodoiska Latimer, Gordon L. Latimer, Homer Murphy, Burtrude Murphy, John W. Murphy, Verda L. Murphy, Jennie B. Tucker, Fannie M. Tucker, Addie L. Tucker, James M. Yates, jr., Myrtle Yates, Ethel Yates, Annell Yates, Napoleon S. Young, Van Young, Nellie Young, Ethel Young, Annise Young, Joe Young, Robert S. Hilburn, Edward Hilburn, Mary Hilburn, William N. Yates, Mary R. Yates, Marion L. Yates, Thomas M. Murphy, Thomas S. Young, Della May Young, Dollie Young, Grover Young, Birdie Young, Jesse Young, Ollie Young, William C. Hilburn, Robert Clarence Montgomery, Henry R. Latimer, Jessie B. Latimer, Roscoe N. Latimer, Raymond C. Latimer, William Russell Latimer, Lillian Alderine Latimer, Fannie Montgomery, Burl Montgomery, Mack Montgomery, Claude Montgomery, Harvey O. Jones, Eugene S. Wood, Porter A. Bywaters, Malcolm W. Forbes, Napoleon W. Young, Cora Young, Ora Young, May R. Rush, Mabel L. Rush, John Irvan Rush, Lena C. Strickland, Ida Rena Strickland, Samuel Irvan Strickland, Lina May Strickland, Thomas Clyde Strickland, R. Shelton Bywaters, Frank E. Wood, Alice P. Bywaters, Myrle Bywaters, Hunter Bywaters, Bernie Bywaters, Wilsie J. Wood, Fred F. Hilburn, Albert H. Latimer, Claude Latimer, Pirtle A. Latimer, Susie Latimer, Kate Latimer, David H. Latimer, Isabell Latimer, Mammie Latimer, Frances Latimer, Fletcher L. Grant, Weck P. Latimer, Elizabeth Latimer, Joseph T. Latimer, Lucinda Latimer, Theresa May Latimer, Maude Montgomery, Ola Glyn, Rossie H. Glyn, James T. Jones, Marvin Sandford Jones, Leta Jones, Totsy Jones, Tiny Jones, Esther Louise Jones, Hardin Ida Timmins, Ethel Timmins, Edith Timmins and John W. Timmins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamc Bixby.

Registered.

Acting Chairman.

NCR 3964

COPY.

Muskogee, Indian Territory, November 20, 1905.

Thomas M. Murphy,

Petty, Texas.

Dear Sir:

You are hereby notified that on November 6, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of January 23, 1903, refusing the applicants in the consolidated Mississippi Choctaw case of Maggie Shelton, et al.

The application made by you for identification as a Mississippi Choctaw was consolidated with and made a part of the Maggie Coleman case.

Respectfully,

SIGNED ^{W. O.} W. O. Beall

Acting Commissioner.

No. ~~NOV 3964~~ 1

For Identification as a Mississippi Choctaw.

Date

NOV 4 1901

Name Thomas M. Murphy

Age 24, Blood Don't Know.

Post Office, Petty, Texas.

Father: W. M. Murphy, l.

Mother: Willetta M. " l

Claims through mother
wife. Ida Murphy, w.

No claim for wife

Children:

Claims for self
alone.

Stenographer H. G. Harris

Choctaw MCR 3965

Willie Solomon

MCR 3965

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Willie Solomon, et al.,
for identification as Mississippi Choctaws, M.C.R.3965.

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Conehatta, Mississippi, October 31st, 1901.

In the matter of the application of Willie Solomon for the identification of himself, his wife and seven minor children as Mississippi Choctaws.

Said Willie Solomon, being first duly sworn, testified as follows:-
(Oscar Billey, official interpreter).

Examination by the Commission.

- Q What is your name? A Willie Solomon.
- Q How much Choctaw blood do you claim to have? A Full blood.
- Q How old are you? A I specks about thirty-seven next February.
- Q Next February you will be thirty-seven? A Yes.
- Q What is your postoffice address? A Prospect.
- Q What County do you live in? A I live in Scott but I will live in Newton County next year.
- Q How long have you lived in Scott County? A Sixteen years.
- Q Where did you live before you went to Scott County? A In Newton, near Newton Station.
- Q How long did you live in this County? A I don't know, since I was born.
- Q Were you ever in Indian Territory? A No.
- Q Never lived outside of the State of Mississippi? A No.
- Q Is your father living? A Yes.
- Q What is his name? A Solomon Jackson.
- Q Where does he live? A He lives about four or five miles from here.
- Q From Conehatta? A Yes.
- Q Has he always lived in Newton County? A Yes.
- Q Was he ever in Indian Territory? A I don't know.
- Q How old a man is he? A I don't know, I specks about 80 or 90 years old.
- Q Full blood Choctaw? A Yes.
- Q Has he a Choctaw name? A No, I don't know his Choctaw name.
- Q Do you know the name of his father? A I don't know.
- Q Do you know the name of your father's mother? A Yes.
- Q What was her name? A Her Choctaw name was Ish-mah-ho-mah.
- Q Did you ever see her? A No.
- Q Did you ever see your father's father? A No.
- Q Do you know whether they always lived in Mississippi? A Yes, they always lived in Mississippi, my pa and ma; his ma, my pa's grandma-her name Stam-bo-le-ho-mah.
- Q That is your father's mother's name? A Yes.
- Q Did you ever see her? A No.
- Q Is your mother living? A No.
- Q What was her name? A Nancy.
- Q Did she have a Choctaw name? A Yes she had it but I don't know.
- Q Was she a full blood Choctaw? A Yes.
- Q Was your mother older or younger than your father? A Younger.
- Q How much younger? A I don't know.
- Q Do you think as much as ten years younger? A I reckon so.
- Q When did she die? A Sixteen years ago last March she died.
- Q Did she always live here in Mississippi? A Yes.
- Q Was she ever in Indian Territory? A No.
- Q Do you know the names of either of her parents? A No.

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- Q Are you married? A Yes.
- Q What is your wife's name? A Bettie.
- Q Do you want to make application for her too? A Yes.
- Q Are you living with her at this time? A Yes.
- Q Were you married to her according to Choctaw custom or under a license? A Choctaw custom.
- Q How long have you been living with her? A Sixteen years next December.
- Q Never been married more than once, have you? A No.
- Q Has she ever been married more than once? A No.
- Q Is she a full blood Choctaw? A Yes sir.
- Q How old is she? A About thirty-nine.
- Q Has she always lived in the State of Mississippi? A Yes.
- Q Never has been to Indian Territory? A No.
- Q Is her father living? A Yes sir.
- Q What is her father's name? A Sam Cain.
- Q Was he here the other day and gave in his name? A Yes.
- Q Is he a full blood Choctaw? A Yes.
- Q Where does he live? A In Scott County.
- Q About how old is he? A About seventy, I think.
- Q Is he the Sam Cain who was before the Commission on the 29th of this month? A Yes, I reckon so.
- Q Has he always lived in Mississippi? A Yes.
- Q Do you know the name of his father or mother? A No, I don't know.
- Q Sam has never been to Indian Territory? A No.
- Q Is your wife's mother living? A No.
- Q What was her name? A Susie.
- Q Was she a full blood Choctaw? A Yes.
- Q When did she die? A About six years ago.
- Q How old was she when she died? A About sixty.
- Q Did she always live in Mississippi? A Yes.
- Q Never lived in Indian Territory? A No.
- Q Has your father been before the Commission this year? A Yes, I reckon so.
- Q At Meridian? A Yes.
- Q Do you know the name of either of Susie's parents-your wife's mother's parents? A Yes.
- Q What is the name of Susie's mother? A I don't know.
- Q Do you know either of their names? A No.
- Q You don't know where they live? A No.
- Q Have you any children? A Yes.
- Q How many? A Seven.
- Q What are their names and ages? A Mamie.
- Q How old is she? A Fourteen.
- Q Next one? A Missie.
- Q How old is Missie? A Thirteen.
- Q Next one? A Lillie.
- Q How old? A Twelve.
- Q Next one? A Ellis.
- Q How old? A Seven.
- Q Next one? A Ishla M.
- Q How old? A Four.
- Q Is Ishla a boy or a girl? A A girl.
- Q Is Ellis a boy? A Yes.
- Q What is the next one? A Ellen.
- Q How old is Ellen? A Two years and a half.

Willie Solomon et al---3

Q Next one? A Neely.

Q Girl? A Yes.

Q How old? A Born the 11th of August this year.

Q Are these children all living with you at this time? A Yes.

Q Are they all the children of yourself and Bettie Solomon? A Yes.

Q This application then is for yourself, your wife and seven minor children, is that correct? A Yes.

Q Is your name or your wife's name of the name of anyone of these children to be found upon any of the Choctaw Tribal rolls in Indian Territory? A No.

Q Did you ever make application the the Choctaw Tribal authorities in Indian Territory for yourself, yourself or any of these minor children, to be admitted or enrolled as members of the Tribe? A No.

Q Did you make application for yourself, your wife or any of these minor children to the Commission to the Five Civilized Tribes in the year 1896 for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.

Q Have you or has your wife or anyone of these children ever been admitted to citizenship in the Choctaw Nation by the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or the United States Court for the Indian Territory? A No.

Q Have you ever made any application of any description prior to this time for yourself, your wife, or any one of these children, to either the Choctaw Tribal authorities or to the United States authorities to be admitted or enrolled as citizens of the Choctaw Nation? A Yes, at Decatur.

The records of the Commission show that this applicant appeared before the Commission at Decatur, Mississippi, on the 7th day of February, 1899, and made application for the identification of himself, his wife Bettie and six minor children, Mamie, Missie, Lillie, Ellis, Ishla and Ellen, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card Field No. 418, also upon page 91 of the schedule of Mississippi Choctaws annexed to the report of the Commission to the Five Civilized Tribes to the Secretary of the Interior of March 10, 1899, as to the identity of Choctaws claiming rights in the Choctaw lands under the provisions of article 14 of the treaty of Dancing Rabbit Creek, being numbers 1491, 1492, 1493, 1494, 1495, 1496, 1497 and 1498, respectively, thereon.

Q Is this application made by you in February, 1899, at Decatur, Mississippi, the only application of any description that you ever have made? A Yes, that is all the application I ever made.

Q Do you appear before the Commission at this time for the purpose of claiming rights in the Choctaw lands in Indian Territory under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A Yes.

Q Do you understand the 14th article of the treaty of Dancing Rabbit Creek? A Yes.

Ex X

For fear that you might not clearly understand that 14th article I will say, that this treaty of Dancing Rabbit Creek was entered into here in Mississippi on the 27th day of September 1830, between the United States Government and the Choctaw Tribe of Indians. At the time this treaty

was made the Choctaws lived here in Mississippi and along the western edge of Alabama. The object of the treaty was to secure the removal of these Indians from the country occupied by them here in Mississippi and Alabama to a new country west of the Mississippi River a portion of which is now occupied by the main body of the Choctaw Tribe of Indians. At the time the treaty was made some of the Choctaws were unwilling to remove from this country and insisted that provision be made in this treaty whereby they might be permitted to remain here and, for the benefit of those who desired to remain here the 14th article was inserted into the treaty. The 14th article of that treaty is as follows:-

"Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this treaty and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey. In like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age ; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States for five years after the ratification of this treaty in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons claiming under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Q Do you understand that now? A Yes.

Q Did any of your ancestors or any of your wife's ancestors ever comply or attempt to comply with the provisions of that 14th article of the treaty of Dancing Rabbit Creek or ever receive any benefits thereunder? A I don't know.

Q Were any of your ancestors or any of your wife's ancestors living here in the old Choctaw Nation at the time this treaty was made?

A Yes, some living I suppose-reckon they all dead.

Q Wasn't your father living then? A My father never went there but he heard of it.

Q He was living then, wasn't he? A Yes.

Q Did he go to the treaty ground? A No.

Q You have heard him speak of the treaty, have you? A Yes.

Q Do you know how old he was when this treaty was made? A I don't know, I think about ten or twelve years old.

Q Do you know whether any of your ancestors or any of your wife's ancestors owned an improvement here in the old Choctaw Nation at that time, when the treaty was made? A I don't know.

Q Were any of your ancestors or any of your wife's ancestors recognized members of the Choctaw Tribe of Indians here at that time? A I don't know.

Q Did any of your ancestors or any of your wife's ancestors remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw Tribe of Indians between the

Willie Sommon et al---5

years 1833 and 1838? A I don't know.

Q Did any of your Choctaw ancestors or any of your wife's Choctaw ancestors within six months after the ratification of the treaty of Dancing Rabbit Creek signify to the Agent of the Government here in Mississippi for the Choctaws their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land here in Mississippi from the United States Government under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A I don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land here in Mississippi from the United States Government under the provisions of any other article of the treaty of Dancing Rabbit Creek than the 14th article or under the supplement to that treaty? A I don't know, my grandfather and uncle was there but I don't know.

Q They were at the treaty? A Yes.

Q What was your grandfather's name who was at the treaty? A My uncle was there-his name Ah-to-bah-tubbee. My father knows that he was there.

Q What was the name of your grandfather whom you say was there?

A Ah-ko-mon-tubbee.

In accordance with the provisions of the 14th article of the treaty of Dancing Rabbit Creek the Government of the United States directed an Agent here in Mississippi to register the names of such Choctaw Indians as might desire to remain and become citizens of the States under article 14 of the treaty. The records of the Government show that that Agent failed to record and report to the Government the names of many Choctaws who did in fact signify to him their intention to remain and become citizens of the States and on this account the Government at its public land sales in many instances sold lands upon which Choctaws lived and had improvements and which the supposed they would receive under the provisions of the 14th article of the treaty. This caused a great deal of complaint among the Indians and the matter was finally brought to the attention of Congress and Congress ~~xxx~~ passed an act, which was approved March 3, 1837, providing for the appointment of a Commission whose duty it should be to come down here to Mississippi and hear the cases of Choctaw Indians who claimed that they had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek but that their land had been sold by the Government. This Commission was duly appointed by the President and the Commissioners came down here to Mississippi and heard a few of these cases, but in the time allowed them by the Act of Congress under which they were appointed and a subsequent act of Congress approved February 22, 1838, they were unable to dispose of but a comparatively small number of these cases. It, therefore, became necessary for Congress to make provision whereby the remainder of these Indians might be given hearings, so another act was passed approved the 23rd day of August, 1842, providing for the appointment of another Commission whose duty it should be to come down here and finish up the hearing of these Choctaw cases. This Commission came down here and heard

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a great many more of these Choctaw cases.

Q Did any of your ancestors or any of your wife's ancestors appear before either one of these Commissions and attempt to establish their rights under article 14 of the treaty of Dancing Rabbit Creek?

A Yes.

Q They appeared before these Commissions, did they? A If they did I don't know- my grandpa might have went there but I don't know for certain.

The Act of Congress approved August 23, 1842, provided that in case it should be finally determined that a Choctaw had complied in all respects with the provisions of article 14 of the treaty of Dancing Rabbit Creek but that his land had been sold by the Government, he should be entitled to select, in lieu thereof, land elsewhere, in Mississippi, Alabama, Arkansas or Louisiana, from vacant Government land and should be entitled to a certificate to that effect. These certificates were called scrip.

Q Did any of your ancestors or any of your wife's ancestors ever receive any scrip from the United States Government under this Act of Congress? A I don't know.

Q Do you know whether any of your wife's ancestors ever got any scrip? A I don't know anything about my wife's ancestors at all.

Q Do you know anyone living who would likely be informed as to whether any of your ancestors or any of your wife's ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No, all dead.

Q Do you know of the existence of any written evidence of any description which would show or tend to show that any of your ancestors or any of your wife's ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

Q Did you ever see or hear of any deed or patent issued to any of your ancestors or any of your wife's ancestors, covering land received from the Government under the provisions of article 14 of the treaty of Dancing Rabbit Creek? A No, never heard of any such thing.

Q Have you any written evidence of any kind that you want to offer at this time? A No.

Q Have you any witnesses here today whose testimony you desire to have taken in support of your application? A No, none here today.

Q Are there any further statements you want to make in support of your application? A No.

Q So far as you know, were any of your ancestors or any of your wife's ancestors ever recognized members of the Choctaw Tribe of Indians or did any of them ever receive any benefits as such? A No.

Q Have you any brothers living? A I got a half brother.

Q No full brothers? A No.

Q Did you ever have any full brothers? A No.

Q What is your half brothers name? A Morris Martin.

Q Has he ever been before the Commission? A I don't know.

Q Where does he live? A He lives close to Decatur.

Q Did he ever go by any other name? A No.

Q What is his wife's name? A I don't know, she died last year.

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- Q Is he by the same father as you? A Yes.
Q Has he any children? A Yes.
Q How many? A I don't know. I think about three or four-two or three I think grown.
Q You don't know whether he has been before the Commission or not?
A I don't know.
Q Does he go by some other name than Morris Martin? A I don't know
Q Is he a full blood? A Yes.
Q Isn't his name Morris Solomon? A I don't know.
Q Is that the only half brother you ever had? A That is all.
Q You have no half brothers who are dead? A Some dead but I don't know the names.
Q Did any of those who died leave children? A None of them married.
Q Did you ever have ant full sisters? A Yes.
Q Any of them living? A Yes.
Q How many? A Three.
Q What are their names? A Malissa Davis.
Q What is her husband's name? A Jim ~~Martin~~ Davis.
Q Where do they live? A Lucerne, four or five miles from here.
Q What is the next sister's name? A Mary Jane.
Q What is her husband's name? A Jeff Smith.
Q Where do they live? A Close by Prospect.
Q Have they been before the Commission this year? A No.
Q They have ~~one~~ child, williamson? A Yes.
Q What is the name of your other sister? A Betsey.
Q What is her husband's name? A She married not long ago.
Q What is his name? A Jackson.
Q What is his full name? A Jackson Cain.
Q Has he been before the Commission? A No.
Q Never has? A No.
Q Was this sister ever before the Commission? A Yes, about three years ago-at that time my pa gave her in.
Q When did she marry this man Cain? A Two weeks ago.
Q Is that all the sisters you have? A Yes.
Q Did you ever have any others that are dead now? A Yes.
Q Did any of those leave any children? A No.
Q Did you ever have any half sisters? A No.
Q Has your wife any brothers living? A Yes.
Q How many? A One and a half brother.
Q What is her brother's name? A Jackson Cain.
Q He is a full brother? A Yes.
Q Has he ever been before the Commission? A Yes.
Q Is he the man who married your sister? A Yes.
Q Where does he live? A Hays, Scott County, Mississippi.
Q About how old a man is he? A I think about twenty-four.
Q Did your wife ever have any other full brothers? A Yes.
Q All dead? A Yes.
Q Did any of those full brothers leave children? A No.
Q You say your wife has one half brother too? A Yes.
Q What is his name? A Wesley Cain.
Q Has he ever been before the Commission? A No.
Q Is he married? A Yes.
Q What is his ~~xxxx~~ wife's name? A Polly.
Q How long has he been married to her? A About three or four years.
Q Her name has never been given in then to the Commission neither?
A No.

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- Q Is that the only half brother your wife ever had? A Yes.
Q Did she ever have any full sisters-your wife? A Yes.
Q Living now? A Yes.
Q What are their names? A Mary Thomas-her husband dead.
Q What was her husband's name? A Edmond Thomas.
Q Has Mary Thomas ever been before the Commission? A No.
Q Was her husband ever before the Commission? A No.
Q Where does she live? A In Scott County.
Q What is the name of the next? A Emma.
Q Is Emma married? A Yes.
Q What is her husband's name? A Johnson Gibson.
Q Has he ever been before the Commission? A No, he never been there. His brother gave in his name five years ago at Decatur.
Q What is the name of your wife's other sister? A Ida.
Q Is she married? A Yes.
Q What is her husband's name? A Mack Williamson.
Q Has he been before the Commission? A No. He ran off three years ago to keep from going before the Commission. He went to Yazoo City.
Q Is he going before the Commission this year? A I don't know.
Q Where does he live? A Hays, Scott County, Mississippi.
Q Did your wife ever have any other sisters besides these three?
A No.
Q Did she ever have any half sisters? A I don't know nothing about that.
Q Has your father any brothers living? A No.
Q Are any of your mother's brothers living? A No.
Q Any of your father's sisters living? A I don't know.
Q Any of your mother's sisters living? A No.
Q Are any of the children of any of your father's brothers or sisters living? A Yes, my mother's sisters children are Johnson Gibson, Louis Gibson and Millie Deason-her husband name Joe Denson.
Q They all appeared before the Commission, did they not, three years ago? A No, none of them appeared before the Commission.
There is another one named Billy Hall-my mother's sister's child.
Q What is the name of the mother of these three children that you have named, the Gibson boys and Millie Denson? A I forgot the name.
Q She was a full sister to your father or your mother? A Full sister to my mother.
Q Where does Billy Hall live? A Close to Natchez, Mississippi.
Q Has he ever been before the Commission? A No.
Q Is he a full blood Choctaw? A Yes.
Q Do you know his postoffice address? A No, I don't know. I saw his letters--Knoxville.
Q He is the son of a full sister of your mother? A Yes.
Q Do you know what County he lives in? A No.
Q Are there any other Choctaws living up there where he is?
A Yes, some.
Q How many? A One family I believe.
Q What are their names? A I don't know.
Q How long has Billy Hall lived there? A He went there last Fall.
Q Are there any other children of your mother's brothers or sisters living? A Yes, my mother's brother's child, three of them, but I don't know where about living.
Q You don't know where they live? A No.
Q Do you know what their names are? A No, they all gone about ten years ago.

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- Q Where did they go? A Close by Jackson, somewhere.
Q Have you heard from them lately? A No.
Q You don't know where they are now, then? A No. One of them live in Scott, close to Hays.
Q What is her name? A Lilly.
Q Is she married? A Yes.
Q What is her husband's name? A Wallace.
Q Lillie Wallace? A Yes.
Q Are any of your wife's mother's brothers living? A Yes.
Q What are their names? A No. All dead.
Q Did she ever have any brothers? A She had one.
Q What was his name? A John Farmer.
Q Are any of his children living? A Yes, another one named John Farmer.
Q Is that all of them? A No, there are others.
Q What are their names, the brothers and sisters of John Farmer?
A Solomon Farmer and Silman Farmer.
Q Is that all? A That is all I know.
Q He has some sisters too, has he? A Yes.
Q How many? A Three.
Q What are their names? A I don't know only one.
Q What is the name of the one you know? A Mary.
Q Mary what? A Mary Farmer.
Q Is she married? A Yes.
Q What is her husband's name? A John Dickson.
Q John Farmer's father was named John Farmer and he was your wife's mother's brother? A Yes.
Q Are any of your wife's mother's sisters living? A Yes, one.
Q What is the name of the one that is living? A I forget the name--her husband is John Wesley.
Q Living in Scott County? A Yes.
Q Are any other of her sisters living? A That is all I know.
Q Did she ever have any others? A Not that I know of.

You will be allowed a reasonable time in which to submit proper written evidence in support of your application if you should see fit to offer any and if you should see fit to introduce the oral testimony of any witnesses they may appear before us at any of your appointments here in Mississippi this Fall or at the office of the Commission in Muskogee, Indian Territory, and their testimony will be taken.

This applicant has every appearance of a full blood Indian. He speaks and understands the Choctaw language and but very little English, the examination having been conducted almost entirely through a sworn Choctaw interpreter.

Ira S. Hiles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Conehatta, Mississippi, October 31st, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 31st day of October, 1901,

Willie Salomon et al--10

at Genesee, Mississippi.

L. B. Mosley

Clerk U.S. Circuit Court, Southern
District of Mississippi.

By

[Signature]

Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cow.

In the matter of the application of Willie Solomon, et al.,
for identification as Mississippi Choctaws, M.C.R.3965.

.....D E C I S I O N.....

It appears from the record herein that application for
identification as Mississippi Choctaws was made to this Commission
on October 31, 1901, by Willie Solomon for himself, his wife, Bettie
Solomon, and his seven minor children, Mamie, Missie, Lillie, Ellis,
Ishla M., Ellen and Neely Solomon, under the following provision of
the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the
Choctaw lands under article fourteen of the treaty be-
tween the United States and the Choctaw Nation, concluded
September twenty-seventh, eighteen hundred and thirty,
and to that end may administer oaths, examine witnesses
and perform all other acts necessary thereto and make
report to the Secretary of the Interior."

From the evidence submitted in support of said application
it appears that all the applicants are full-blood Mississippi
Choctaw Indians.

Section forty-one of the act of Congress entitled "An Act
To ratify and confirm an agreement with the Choctaw and Chickasaw

tribes of Indians, and for other purposes," approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Willie Solomon, Bettie Solomon, Mamie Solomon, Missie Solomon, Lillie Solomon, Ellis Solomon, Ishla M. Solomon, Ellen Solomon and Neely Solomon should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

FEB 14 1903

COPY,

M.C.R. 3965

Muskogee, Indian Territory, February 21, 1903.

Mansfield, Motturray & Cernish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Willie Solomon, his wife Bettie Solomon, and minor children Mamie Solomon, Missie Solomon, Lillie Solomon, Ellis Solomon, Ishla M. Solomon, Ellen Solomon, and Neely Solomon, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Willie Solomon, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Registered.
Enc. H.M.V. 9

Tamie Brown
Acting Chairman.

M.C.R. 3968

COPY.

Muskogee, Indian Territory, March 11, 1903.

Willie Solomon,
Prospect, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the commission to the Five Civilized tribes, rendered February 14, 1903, identifying yourself, your wife, Bettie Solomon, and your minor children, Mamie Solomon, Missie Solomon, Lillie Solomon, Ellis Solomon, Ishla M. Solomon, Ellen Solomon and Neely Solomon, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED).

Jame Dixby.

Chairman.

Registered.

Enc. 3968

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

IN RE
Identification
Application for ~~enrollment~~ of

INFANT CHILD

Nelly Solomon
AS A ~~CITIZEN~~

MISSISSIPPI CHOCTAW

Approved,

190

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW
Commissioner.

See Miss Choctaw Card No 418.

The within application is accepted as proof of the birth of the within named child, and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws, but is not to be considered as an application for its enrollment as a citizen of the Choctaw Nation.


Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 11 1901


ACTING CHAIRMAN.

FOR IDENTIFICATION AS

A MISSISSIPPI CHOCTAW

BIRTH AFFIDAVIT.

20 One card filed No 418.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Identification as a Mississippi Choctaw
IN RE Application for Enrollment, as a citizen of the Nation,
of Nelly Solomon, born on the 11 day of August, 1901
(Here insert name of child)
Name of Father: Willie Solomon, a citizen of the full blood Choctaw Nation.
Name of Mother: Bettie, a citizen of the full blood Choctaw Nation.
Post-office, Nayer, Miss

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
State of Mississippi District. }
County of Newton
I, Bettie Solomon, on oath state that I am about 39
years of age and a citizen of the full blood, of the Choctaw Indian Nation;
that I am the lawful wife of Willie Solomon, who is a citizen of the
full blood, of the Choctaw Indian Nation, that a Female child was
(male or female)
born to me on the 11 day of August, 1901; that said child has been
named Nelly Solomon, and is now living.

WITNESSES TO MARK
(Must be Two) } Bettie Solomon mark
} L. V. Emerson
} Asaar Billy

Subscribed and sworn to before me this 7 day of November, 1901.

L. B. Moseley, Clerk
U. S. Circuit Court, S. D. of Mississippi
By J. M. Moseley
A.C.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
State of Mississippi District. }
County of Newton
I, Emma Liberton, on oath state that I
attended on Mrs. Bettie Solomon, wife of Willie Solomon,
on the 11 day of August, 1901; that there was born to her on
said date a Female child; that said child is now living and has
(male or female) has been
named Nelly Solomon.

WITNESSES TO MARK:
(Must be Two) } Willie Solomon his mark
} L. V. Emerson
} Asaar Billy

Subscribed and sworn to before me this 7 day of November, 1901.

L. B. Moseley, Clerk
U. S. Circuit Court, S. D. of Mississippi
By J. M. Moseley

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED

APR 7 1903

[Handwritten signature]

CHADMAN

Returned to writer
4/2/1903
Moved a way
Reg # 39

Willie Solomon,
Prospect, Mississippi.



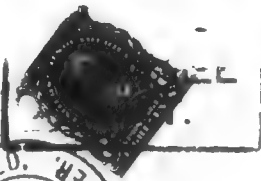
Penalty for private use, \$300.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

4637

*Returned to sender
by post office
on 11/11/12*



Willie Solomon,
Prospect, Mississippi.



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

4637

#1463

No. 3965

For Identification as a Mississippi Choctaw.

Conehatta, Miss.

OCT 31 1901

Date

Name

Willie Solomon

Age

37

Blood

full

Post Office

Prospect, Miss.

Father:

Solomon Jackson

L

Mother:

Nancy

"

d

Claims through

both parents.

wife

Bettie Solomon (full)

39.

L

Father Sam Cain

Mother Susie

d

(Claims for self, wife and 7 minor children)

Children:

Mamie Solomon

14

Missie

"

13

Lillie

"

12

Ellis

"

7

Ishla M.

"

(F) 4

Ellen

"

2 1/2

Keely

"

(F) 2 m

(See Miss. Choc. card filed No

418. Appearance 7/7/99.)

Stenographer

J. S. Stiles

A MISSISSIPPI CHOCTAW.

Willie Solomon et al.

COPY OF DECISION FORWARD
APPLICANT

MAY 11 1942

END
OF
ROLL

